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George W. Johnson. Letter from the Secretary of the Interior, in answer to resolution of the House of February 11, 1861, transmitting a report of the surveyor general of Washington Territory, in relation to damages suffered by George W. Johnson in consequence of the occupancy of his lands by the War Department.

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GEORGE W. JOHNSON.

LETTER

FROM

THE SECRETARY OF THE INTERIOR,

IN ANSWER TO

Resolution of the House of February 11, 1861, transmitting a report of the surveyor general of Washington Territory, in relation to damages suffered by George W. Johnson in consequence of the occupancy of his lands by the War Department.

JANUARY 7, 1862.—Referred to the Committee on Military Affairs, and ordered to be printed.

DEPARTMENT OF THE INTERIOR,

January 6, 1862.

SIR: I have the honor to submit herewith, in accordance with a resolution of the House of Representatives of February 11, 1861, a report of the surveyor general of Washington Territory of "the amount of damages suffered by George W. Johnson in consequence of the occupancy of his lands in that Territory by the War Department," with the testimony taken by him.

Very respectfully, your obedient servant,

CALEB B. SMITH, *Secretary.*

Hon. GALUSHA A. GROW,

Speaker of the House of Representatives.

GENERAL LAND OFFICE,

December 10, 1861.

SIR: I have the honor to submit herewith the report, dated September 9, 1861, of the surveyor general of Washington Territory, pursuant to a resolution of the House of Representatives passed February 11, 1861, a copy of which accompanies the report.

With great respect, your obedient servant,

J. M. EDMUNDS,

Commissioner.

Hon. CALEB B. SMITH,

Secretary of the Interior.

Report of surveyor general of Washington Territory, under resolution of the House of Representatives of February 11, 1861.

OFFICE SURVEYOR GENERAL OF WASHINGTON TERRITORY,
Olympia, Washington Territory, September 9, 1861.

SIR: In compliance with your letter and orders of the 20th April, directing me to comply with resolution of the House of Representatives, passed February 11, 1861, relative to the occupation by the military authorities in Washington Territory of the donation claim of George W. Johnson at the cascades of the Columbia, Washington Territory, I have the honor to report.

I notified, by letter, Colonel Wright, United States army, commanding military district of Oregon, and the claimant, Johnson, of my readiness to hear testimony upon the subject, and, at their joint request, proceeded to the Columbia river, visited the land in question, and made a full examination of the locality; and at the Dalles, at Vancouver, and at Olympia, took testimony herewith enclosed.

I report the land in question situated at the head of ship navigation of the Columbia, 160 miles above its mouth, a natural town site, and the only one in that vicinity. It has always been considered in this country as exceedingly valuable property, commanding, as it does, the western terminus of the portage between the western part of this Territory and Oregon, to the vast regions of the interior.

The portage on the north, on Johnson's side, is much better adapted for a railroad than on the south; and at the time of the occupation by the military in 1856, a transportation business, in which Johnson was interested, and the road for which traversed his claim, was in operation, and has since largely increased each year.

It appears that the occupation of the claim by the military forced the building of a railroad on the opposite or southern side of the Columbia, upon ground very unsuitable, and at a cost certainly double the amount.

A much better and more permanent road could have been constructed on the northern side.

The resolution directs the surveyor general to ascertain the amount of damages suffered by George W. Johnson in consequence of the occupancy of his lands by the War Department.

In the consideration of this subject, I take into view the very valuable transportation trade, which was certainly broken up by the military occupation of the claim from April, 1856, to the present time, and the damages, both actual, from stoppage of his very valuable business, and prospective, inasmuch as the military occupation prevented the development of a town site, for which the claim has certainly great advantages.

The reservation takes the whole of the claim, and stops all sale of lots or proceeds of land.

I find it difficult to estimate the amount of the damages from these elements; but from a residence of over seven years in the Territory, and a knowledge of the increase of population, and the fact that the cascades of the Columbia are the best portage between the ocean and the vast interior, I know of no tract of land in Washington Territory which possesses such natural advantages for trade and commerce as the claim of George W. Johnson.

I therefore estimate the amount of damages sustained by the said George W. Johnson, by the occupation of his donation claim at the Cascades, at one hundred and twenty thousand dollars (\$120,000.)

Very respectfully, your obedient servant,

JAMES TILTON,

Surveyor General Washington Territory.

COMMISSIONER GENERAL LAND OFFICE,
Washington City, D. C.

Schedule of papers accompanying this report, sent from office of Commissioner General Land Office, and now returned.

Testimony of A. N. Grenzebach, G. B. Simpson, J. H. Scranton, J. S. Van Bergen, Stephen Coffin, C. D. Blanchard, A. M. Gibbons, and F. W. Lander.

Testimony taken in Oregon and Washington Territory before J. Tilton, surveyor general.

Testimony of O. Humason, J. Chenoweth, J. L. Ferguson, J. Darragh, S. B. Ives, J. H. Alexander, Joseph B. Riley, J. C. Roper, C. B. Wagner, H. M. Black, N. H. Gates, J. McNulty, J. Lorensen, S. S. Slater, and D. F. Bradford.

Depositions taken before James Tilton, esq., surveyor general of public lands of the United States in the Territory of Washington, in the matter of the claims for damages by George W. Johnson against the United States.

Depositions taken under and by virtue of the following resolution, to wit :

THIRTY-SIXTH CONGRESS, SECOND SESSION.

CONGRESS OF THE UNITED STATES.

IN THE HOUSE OF REPRESENTATIVES,

February 11, 1861.

On motion of Mr. I. I. Stevens,

Resolved, That the Secretary of the Interior be requested to direct the surveyor general of Washington Territory to ascertain the amount of damages suffered by George W. Johnson in consequence of the occupancy of his lands in that Territory by the War Department, and report the same to this house with all the testimony on the subject.

Attest :

J. W. FORNEY, *Clerk.*

Depositions.

On this 18th day of July, A. D. 1861, before me, James Tilton, surveyor general of public lands in Washington Territory, personally appeared Orlando Humason, of lawful age, who being duly sworn to tell the truth, the whole truth, and nothing but the truth, in his answers to the interrogatories and cross-interrogatories propounded to him, deposes and says as follows :

Questions by the United States.

Interrogatory 1. What is your name and place of residence?

Answer. My name is Orlando Humason; I reside at the Dalles, Wasco county, Oregon.

Interrogatory 2. Are you acquainted with the premises in Washington Territory claimed by George W. Johnson, and alleged to have been taken and occupied by the War Department, referred to in the resolution of the House of Representatives of 11th of February, 1861. (Copy preceding this deposition.)

Answer. I am.

Interrogatory 3. Describe the situation and extent of the tract claimed by said Johnson, and state whether its limits were determined and marked by survey.

Answer. It is situated on the Columbia river, at the head of navigation for sail and sea-going vessels. He claimed three hundred and twenty acres. I only know by general report that it had been surveyed and marked. It is situated in Skamania county, Washington Territory. It is upon the Columbia river, and his place is called "Lower Cascades."

Interrogatory 4. When did said Johnson settle upon the land in question, and what was the nature and value of his improvements, if any, at the time of the said alleged interference by the War Department.

Answer. I first knew him in occupancy of the land in the summer of A. D. 1853. I don't know when he began his settlement thereon. I was not there when the military took possession. My knowledge of his improvements was derived from occasionally passing up and down the river between the Dalles and Portland. His place used to be our stopping place on that route. At the time I last saw it, before the military took possession, he had a building he occupied as a hotel and a store. I think there was a stable and other out-buildings, a garden, and some fencing, I think. He had a wharf boat there. It was the only wharf boat in that section of country, and all the goods passing into the upper country were discharged into and from it.

Interrogatory 5. When was the land taken possession of by the War Department; and what was its value at that time?

Answer. It was taken possession of in the spring, I think, of 1856. The rent would be, or should be, in proportion to the sum of money he would naturally clear from his business. It would, I am *now* satisfied, be a large sum since 1856. The transportation over his land from 1853 up to 1858 was about two thousand tons per year, except in the years 1855 and 1856, when it was greatly increased, and the price of transportation ranged, during that time, from twenty to eight dollars per ton over that portage. It was, I believe, reduced from twenty dollars in the fall of 1857. I estimate the *actual cost* of making that transportation at five dollars per ton, and what was obtained over that was profit. In addition, Johnson kept a hotel, the *profits* of which I should estimate as not less than two thousand dollars per year. The place had a prospective value as a town site, and was valuable in that respect. I have within the last three months heard a good business man refer to that location as one admirably adapted to the wholesale merchandise business, because it would and must monopolize the trade between the Cascades and Rocky mountains. He is a merchant doing business in Portland and in Walla-Walla. His name is D. S. Baker. He said if it was not for the presence of the United States troops that he would try and get hold of the land in connexion with some capitalists for that purpose. He said that vessels could come direct there from San Francisco, New York, and other ports, and discharge their cargoes at no more expense to deliver them than at Portland or Vancouver. That this one would save one transshipment. That purchasers could go from the Dalles to Johnson's place, make their purchases, and return to the Dalles, in one day. That this would save one-half of the amount of freight, and gain two to three days' in time for them. I entertain the same views and opinions as expressed by Mr. Baker.

Interrogatory 6. What was the extent of the interference, or was all of the tract taken by the department? If not, state what part, and how much was taken, the value of the same, and the value of the improvements, if any, thereon, and upon what basis you rely in estimating the value of the same.

Answer. The military took possession of the land, and it was understood had a reservation there of six hundred and forty acres, including all of Johnson's land. Johnson was prohibited from building upon or improving by the military. The occupancy by the military completely broke up Johnson's transportation

business, and his hotel business. I know from the officers, and from what I saw, that the military occupied the best part of the claim. It had full possession, and occupied all of the landing, and his landing was altogether the best on the river in that vicinity.

Question by the surveyor general.

Interrogatory 1. Are the natural facilities for a portage better upon the north or Johnson's side of the river, or upon the south or Oregon side?

Answer. They are decidedly the best upon the north or Johnson's side.

Interrogatories propounded by W. H. Farrar, esq., attorney for Johnson.

Interrogatory 1. In what business are you engaged?

Answer. In the transportation business between the Dalles and Des Chutes river, and to Walla-Walla, under the style of the "Dalles Portage Company."

Interrogatory 2. Are you not a judicial officer?

Answer. Yes; I am judge of the county court of Wasco county.

Interrogatory 3. Since when have you been acquainted with Johnson's claim?

Answer. Since the summer of 1853.

Interrogatory 4. Give your views of that location for a town site as compared with any other in that section; whether it is the head of sloop and steamboat navigation of the Columbia river; the facilities for building a rail or other road from that point around the Cascades; the facilities such road would furnish for travel and transportation, and the amount of transportation and travel that would probably pass over that road, giving the probable increase each year?

Answer. That location is the best for a town site on the river, and there is no other place for a town site anywhere in that section upon either side of the river. If the place had not been interfered with by the military, I think it would to-day have been one of the largest and most flourishing towns in either Oregon or Washington Territory, being, as it is, at the head of sloop and steamboat navigation on the Columbia, and possessing the best of facilities for building a rail or any other road around the Cascades. A railroad around the Cascades would greatly facilitate travel and transportation, tend to hasten the settlement of the country east of the Cascades, and thus continually enhance the value of Johnson's place. As to the transportation of freight over the land from 1853 up to 1858—I have already given my estimate since 1857 to the present—I estimate the transportation of freight over the Cascade portage to have amounted to from six to eight thousand tons per annum. *This* season the increase of *citizens'* freight has amounted to ten times that of any previous year. Government freight has not been so large this year as last. The country is rapidly filling up. Gold has been discovered in new localities, and thousands of persons are moving into the country between the Cascades and Rocky mountains.

Interrogatory 5. State the annual value of a commission business that would have been done at that point if it had not been occupied by government troops—say since 1856, or any period subsequent; and also the profits from an ordinary hotel at that point, giving each by the year.

Answer. I should think the hotel business since 1856 would have increased more than one hundred per cent. per year. As to the commission business, it is covered by my former answers. It would have amounted to a good many thousand dollars per year.

Interrogatory 6. State the natural increase in the value of that point, as to town or city property, if it had been in Johnson's possession, from year to year, over its value as farming lands.

Answer. Judging from the increase in value of land in other towns, not so favorably located as Johnson's, that property in his possession would have in-

creased in value several hundred per cent. As farming land it would have increased in value, but not to be compared with what would have been its increase as town property.

Interrogatory 7. In view of all its advantages, what would have been a fair rent for that property each year since 1856?

Answer. I think fifteen thousand dollars per year.

Interrogatory 8. When the military took possession of that point was it in the possession of hostile Indians, and was the occupancy of it at that time by troops necessary to the suppression or prevention of Indian hostilities; and at what time did the government troops take possession of that point, and where was the nearest body of hostile Indians at that time?

Answer. To the first two branches of the question I answer, No. It has been reported that the military considered it necessary to occupy some position in that neighborhood for the protection of the Cascades. It was so taken possession of in April or May, 1856. The nearest place where there were hostile Indians was in the Simcoe or Yakima valleys.

Interrogatory 9. Did the United States troops occupy the whole of the landing at that point, and enclose the same, so as to exclude all others from using it, unless with their permission?

Answer. Yes.

Interrogatory 10. What efforts have been made to build a road around those Cascades; where was such road; by whom; if along the river, what is the depth of water, and what the probability of such road remaining?

Answer. Up to the occupancy by the military the transportation was made by land carriage and by batteaus. Since then the government built a road, and most of the time has made its own transportation over Johnson's land to the foot of the railroad. A wooden railroad has since been partially built on the Oregon side of the river, which has cost probably about one hundred thousand dollars. It is now in use. There was an old railroad on the Washington side over a part of the portage before the military took possession of that point, and a new road was constructed in 1856 or 1857, but did not extend upon Johnson's claim. Johnson, in his transportation business, used to connect with the old railroad; and in estimating above the profits of the transportation of freight over the Cascade portage from 1853 to 1856, one Daniel F. Bradford was said to have been interested, so that the whole profits of the whole portage at the Cascades did not belong solely to Johnson. In any of my estimates I have not included the profits arising from the transportation of passengers.

Interrogatory 11. State whether or not you have any interest in Johnson's land claim, or in his claims against the United States, directly or indirectly.

Answer. Not the slightest.

Interrogatory 12. State whether or not you were once examined before a commission of the United States army officers, in behalf of the United States, respecting Johnson's claim and its occupancy by the military.

Answer. I was.

Interrogatory 13. State whether or not Mr. Johnson was there represented or accompanied by an attorney.

Answer. He was not.

Interrogatory 14. Who constituted that military board?

Answer. Captain Rufus Ingalls, Captain H. D. Wallen, and Lieutenant Dixon, of Tennessee.

Interrogatory 15. State whether or not Captain Ingalls is largely interested in town lots in or adjoining Vancouver.

Answer. He is reported to be interested in lands in or adjoining the city or town of Vancouver.

Interrogatory 16. State whether or not he was so interested at the time he was a member of said board or commission.

Answer. He was.

Interrogatory 17. State whether or not there is any town between Vancouver and the Johnson land claim.

Answer. There is not.

Interrogatory 18. What is the distance from Vancouver to Johnson's place?

Answer. It is called forty miles.

Interrogatory 19. What is the distance from the Cascades to the Dalles?

Answer. Forty miles, I believe.

Interrogatory 20. State whether or not it was the intention to have continued the new railroad, built in 1856 or 1857, across the land of Johnson, if the land had not been occupied by the military.

Answer. Yes; I have heard that it was to have been built to the landing on Johnson's land.

ORLANDO HUMASON.

Justin Chenoweth, of lawful age, being duly sworn to testify the truth, the whole truth, and nothing but the truth, in his answers to the interrogatories propounded to him, deposes and says as follows:

Interrogatory 1. What is your name, age, and occupation, and where do you reside?

Answer. My name is Justin Chenoweth; age, thirty-five years; occupation now is that of a farmer, and reside in Skamania county, Washington Territory, and formerly United States deputy surveyor for Washington Territory; my profession is that of land surveyor.

Interrogatory 2. State whether or not you know George W. Johnson, and the land claimed by him?

Answer. I do.

Interrogatory 3. Where is said land situated?

Answer. At the Cascades, in Skamania county, Washington Territory.

Interrogatory 4. State whether or not you ever made for him a survey of his land claim; and if yea, when?

Answer. In the year 1850 I made for him a survey of the land claim, and set the corners on the river. I took the bearings back from the two corners on the river so as to include the claim. In the fall of 1853, at the request of Johnson, I made a resurvey of his land claim. It contained three hundred and twenty acres. The southwest corner on the river was the same, but the southeast corner was slightly altered, so that he took up less land upon the river. The lines were all run, and the corners established.

Interrogatory 5. Examine the paper herewith handed you, and state whether the same is a copy of the survey and field-notes of Johnson's claim made by you in 1853.

(Paper marked "Exhibit A" was here presented to the witness.)

Answer. Yes, sir; I think it is. I have no doubt about it.

Interrogatory 6. State whether or not there were any persons (white persons) residing to the east of the Cascades, and between there and the Dalles, when Johnson took that claim?

Answer. There was not.

Interrogatory 7. What is the distance from the Cascades to the Dalles?

Answer. About forty miles.

Interrogatory 8. State how many white persons were residing between the Cascades and the Rocky mountains when Johnson took that claim in 1850?

Answer. There were but two of whom I had any knowledge,—a Catholic priest, at the Dalles, and a Mr. Raymond.

Interrogatory 9. State how many white persons were there residing between the Cascades and Fort Vancouver at that time.

Answer. There were very few—not *more* than one dozen. There was no town at Vancouver then.

Interrogatories propounded by Surveyor General Tilton.

Interrogatory 1. Are the natural facilities for a portage better upon the north or Johnson's side of the river, or upon the south or Oregon side?

Answer. They are better upon the north.

Interrogatory 2. Where is the best, most convenient, and natural site for a town at the head of navigation of the Lower Columbia?

Answer. It is on the north side of the river. Johnson's land contains a fine plain, which is above high water mark some few feet, which enhances its value and renders it eligible for a town site. Between there and Vancouver, upon both sides of the river, the land from the river banks to the mountains are subject to annual overflow.

Re-direct examination by Colonel Farrar.

Interrogatory 1. State, if you know, when the military took possession of Johnson's land claim?

Answer. I think it was in the spring months of 1856.

Interrogatory 2. State whether or not, previous to that time, Johnson's land claim had been the point for the landing of the steamboats, and the discharge and transhipment of freight for the country east of the Cascade mountains?

Answer. It had.

Interrogatory 3. What at that time did you consider the future prospects of that point to be?

Answer. I don't know that I had any definite view at that time as to the future of that point, or of the Cascades.

JUSTIN CHENOWETH.

James L. Ferguson, of lawful age, being duly sworn to testify the truth, the whole truth, and nothing but the truth, in his answers to the interrogatories to be propounded to him, deposes and says as follows:

Interrogatory 1. What is your name, age, occupation, and where do you reside?

Answer. My name is James L. Ferguson; age, thirty-five years; trader; and reside in Rockland, Cllickatat county, Washington Territory.

Interrogatory 2. Are you acquainted with the premises, in Washington Territory, claimed by George W. Johnson, and alleged to have been taken and occupied by the War Department, referred to in the resolution of the House of Representatives of 11th of February, 1861?

Answer. I am; and have been since the 24th of March, 1851.

Interrogatory 3. Describe the situation and extent of the tract claimed by said Johnson, and state whether its limits were determined and marked by survey.

Answer. It is at the Cascades, in Skamania county, Washington Territory. It is at the extreme head of navigation, and is on the Columbia river, on the north side. It contains three hundred and twenty acres. It was surveyed for Johnson in 1853, to my knowledge. The lines were run and corners were established. I have seen those lines and corners.

Interrogatory 4. When did said Johnson settle upon the land in question, and what was the nature and value of his improvements, if any, at the time of the alleged interference by the War Department?

Answer. I do not, of my own knowledge, know when he settled there, but do know, of my own knowledge, that he resided upon the land from the 24th day of March, 1851, until he was interfered with by the military some time in 1856. At the last date he had a large two-storied frame building he used as a store and hotel, a garden, enclosures, fencing, good-sized wharf boat, schooner, two freight bateaux, and perhaps he had some other buildings which I have not mentioned.

Interrogatory 5. When was the land taken possession of by the War Department, and what was its value at that time?

Answer. It was taken possession of by the military some time in 1856. From its location, its natural advantages as a town site, its constantly increasing value, I regarded it then, and do now, as one of the most valuable land claims in Oregon or Washington; and in view of all the circumstances, and in connexion with the development of the country since 1856, it was worth then at least two hundred thousand dollars.

Interrogatory 6. What was the extent of the interference, or was all of the tract taken by the department? If not, state what part and how much was taken; the value of the same, and the value of the improvements, if any, thereon, and upon what basis you rely on estimating the value of the same.

Answer. I do not know exactly what amount of land was included in the alleged military reservation. It included all of Johnson's which was worth anything; it took all the river front. As to the value thereof, I have heretofore answered that; I hardly know how to estimate the value of the improvements standing on the land. Johnson could have made out of his hotel and garden, and improvements on the land, four or five thousand dollars each year. In making my estimates, I judge from the location of the claim, the surrounding country, the settlements between the Cascades and Rocky mountains, the very great and rapid increase of all kinds of business, the large expenditure of moneys in transacting the business between Portland and Vancouver and the country east of the Cascades, the amount of freight carried on the Columbia river, the travel between eastern and western Oregon and Washington Territory, the natural advantages that place possesses over all others for a town site, and from other causes and reasons.

Interrogatories propounded by Surveyor General Tilton.

Interrogatory 1. What was the effect of the military occupation upon the transportation business of Johnson?

Answer. The military occupation deprived him of the means of making money. As a matter of course it was a serious detriment to his business.

Interrogatory 2. Are the natural facilities better for a portage upon the north or Johnson's side of the river, or on the south or Oregon side?

Answer. The north side has all the natural advantages for the construction of a rail or other road. A road can be built there for one-half of what it would cost to build a road on the Oregon side. A road can't be built on the Oregon side but at an enormous outlay of money.

Interrogatories propounded by Colonel Farrar, attorney for Johnson.

Interrogatory 1. State whether or not you are a member of the legislative assembly of Washington Territory.

Answer. Yes, sir.

Interrogatory 2. State the annual value of commission business that would have been done at that point if it had not been occupied by government troops, and also the profits from a good hotel.

Answer. I should think Johnson ought to have made in his transportation

business since 1856 eight or ten thousand dollars per year, and the business would have largely increased every year. Out of a hotel he would have cleared at least twenty-five hundred dollars a year since the military deprived him of his land. The hotel business would have greatly increased every year. The travel has doubled every year, and this year it has increased fourfold over that of last year.

Interrogatory 3. State the natural increase in the value of that point as town or city property, if it had been left in Johnson's possession from year to year, over its value as farming land.

Answer. There is no comparison between its value as town or city property and as farming land. As farming land it would have been as valuable as other claims in that vicinity. If Johnson could have had the control of his land since 1856, and had laid out a town, it would by this time have been one of the most important towns in Oregon and Washington, and town lots would have been very valuable. I have already stated that I think the land is worth two hundred thousand dollars, and the increase will be like other commercial towns of equal natural advantages and business.

Interrogatory 4. In view of all its advantages, what would have been a fair rent for that land claim each year since 1856?

Answer. At least twelve thousand dollars.

Interrogatory 5. When the government troops took possession of that point, was it in the possession of hostile Indians; and was the occupancy of it at that time by those troops necessary to the suppression of Indian hostilities then existing there; and where was the nearest body of hostile Indians when it was taken possession of by the troops?

Answer. To each of the two first I answer, No. There were no hostile Indians within one hundred and fifty and two hundred miles, and none have ever been any nearer since then.

Interrogatory 6. Did the United States troops occupy the whole of the land- ing at that point, and enclose it, so as to exclude all others from using it, unless with their permission?

Answer. They did. The military exercised absolute control over the claim. They removed persons from the claim, and kept others off.

Interrogatory 7. State whether or not the military interfered to prevent George W. Johnson from building on his land.

Answer. They prevented him at one time I know of from putting up a building he had commenced.

Interrogatory 8. State, if you know, how many white persons resided between the Cascades and Dalles in 1851.

Answer. I don't know of any one.

Interrogatory 9. How many between the Cascades and the place on which Vancouver now stands?

Answer. There might have been ten or a dozen. There were none of these within twenty miles except one, and he lived about twelve miles distant.

Interrogatory 10. State whether the settlement of Johnson at the Cascades was attended with much danger and exposure.

Answer. It was certainly an unpleasant place to live in, and Johnson was deprived of the conveniences and comforts of life. It was not dangerous on account of Indians.

Interrogatory 11. State whether or not the military allowed strangers, or persons who had no interest or title to the land, to erect buildings and transact business on Johnson's land.

Answer. The military allowed some parties to erect buildings and do business there.

Interrogatory 12. State whether or not you have any interest, directly or in-

directly, in or to the land claimed by Johnson, or in his claims against the United States.

Answer. None whatever, sir.

JAS. L. FERGUSON.

John Darragh, of lawful age, being duly sworn to testify the truth, the whole truth, and nothing but the truth, in his answers to the interrogatories propounded to him, deposes and says as follows :

Questions by the United States.

Interrogatory 1. What is your name, age, occupation, and where do you reside ?

Answer. John Darragh ; age, thirty-one years ; occupation, farmer ; and reside in Wasco county.

Answer to interrogatory 2. I am.

Answer to interrogatory 3. The land is at what is called the Lower Cascades, in Skamania county, Washington Territory. It includes the landing at the Cascades. I don't know its extent, or whether it has been surveyed.

Answer to interrogatory 4. I don't know when he settled there. He was on the land in the winter of 1852-'53, when I first went there. I do not know what was the value of his improvements.

Answer to interrogatory 5. The first that I know positively of the military holding it as a reserve was in the spring of 1857. It was a very valuable land claim, but I can't fix upon any sum.

Answer to interrogatory 6. The whole tract was not fenced in. I am not able to state the extent of the interference. I do not know how much land was taken, and cannot determine, therefore, as to the value of that which was taken. Nor do I know about Johnson's improvements then, or on the tract taken.

I say it was very valuable because of its location ; its being at the head of navigation, the landing place for vessels, the discharge of freight and passengers there, the amount of business which Johnson used to do there before the military took it.

Interrogatories proposed by the surveyor general.

Interrogatory 1. What was the effect of the military occupation of that land upon the transportation business of Johnson ?

Answer. It sent the business upon the other side of the river.

Interrogatory 2. Are the natural facilities for a portage better upon the north or Johnson's side of the river, or upon the south or Oregon side ?

Answer. Far better upon the north side, in my opinion.

Questions propounded on behalf of George W. Johnson by W. H. Farrar, his attorney.

Interrogatory 1. Give your views of that location for a town site as compared with any other in that section.

Answer. It is the most eligible place at the Lower Cascades. It is a level bench of land, to a great extent free of timber, above high-water mark, or, at least, there is no indication of water having ever been there. It is the natural position for a town. I used to think before the military took the place that the trade could never be diverted from there. The military did, however, change the trade from there. I had two reasons for thinking the trade would always be there : First, it was the natural portage ; and secondly, because it was there and had a start.

Interrogatory 2. State what, in your judgment, would have been the value to Johnson of a commission business by him at that point, if it had not been occupied by the government troops, since the spring of 1856, per year.

Answer. The exclusive right in Johnson would have been worth to him about twenty thousand dollars per year.

Interrogatory 3. What would a hotel there have been worth per year during the same time?

Answer. I can't say as to that. It would have done a good paying business.

Interrogatory 4. In view of all its advantages, what would have been a fair rent for that property each year since it was taken possession of by the military?

Answer. I think about twenty thousand dollars per year, if the lessee had the exclusive right of the whole land and the portage.

Interrogatory 5. Did the United States troops occupy the whole of the landing at that place, and enclose the same, so as to prevent its use by others unless with their permission?

Answer. I can't tell exactly how much of the landing was enclosed. The old steamboat landing was enclosed, I think. The regular road, I recollect, was fenced up by the military.

Interrogatory 6. State whether or not you have any interest, direct or indirect, in Johnson's land, or in his claims against the United States government.

Answer. Not any, sir.

JOHN DARRAGH.

Sherman B. Ives, of lawful age, being duly sworn to testify the truth, the whole truth, and nothing but the truth, in his answers to the interrogatories propounded to him, deposes and says as follows:

Interrogatories on behalf of the United States.

Interrogatory 1. What is your name, age, occupation, and where do you reside?

Answer. My name is Sherman B. Ives; age, thirty-one years; farmer; and reside in Wasco county, Oregon, about half-way between the Cascades and the Dalles.

Answer to interrogatory 2. Yes, sir.

Answer to interrogatory 3. It is at the head of sloop and steamboat navigation on the Lower Columbia river, in Skamania county, Washington Territory; contains three hundred and twenty acres. I have heard that its limits were determined and marked by survey, but I have no personal knowledge of the fact.

Answer to interrogatory 4. The first I knew of Johnson's claim, of my own knowledge, was about the first of the year 1853. I have heard that he settled there long before. Upon reflection, I know he was there as early as the 1st of September, 1852. I went to the Cascades for the first time in August, 1852. Johnson had a hotel—a two-story frame house, which was a very good building. There were some boats there—two or three bateaux. He had a garden of some acre and a half or two acres; some good fence. I do not recollect particularly about his improvements. Besides the garden, there was another enclosure where the garrison stands. I do not think his improvements were less in value than twenty-five thousand dollars, and they were, I think, worth more than that sum.

Answer to interrogatory 5. The military commenced operations some time in April. They took possession of the point about the 1st of April. I think the land was then worth two hundred thousand dollars.

Answer to interrogatory 6. The whole tract was interfered with. A notice from Captain Winder, of the United States army, upon George W. Johnson, was given, notifying Johnson to leave the claim, and that he should make no further improvements, and that the military had taken possession of it. This was some time in May, 1856. I rely, in estimating the value of the land and of his improvements, upon the business I have seen done there, the location of the claim, its advantages over all other points, and the increasing settlement of the country to the east of the Cascades.

Interrogatories propounded by Surveyor General Tilton.

Interrogatory 1. What was the effect of the military occupation of the land upon the transportation business of Johnson?

Answer. It stopped it. The business could not exist there with the military. It was driven away from there. The fact is, that a vessel could not be moored there without obtaining special permission from the military. Men could not go upon the land without permission, and were not allowed to without obtaining permission. The business was forced by the military from there into an unnatural channel or place.

Interrogatory 2. Are the natural facilities for a portage better upon the north or Johnson's side of the river, or upon the south or Oregon side?

Answer. Upon the north side. There is a great deal of difference. There are no natural facilities for a portage upon the Oregon side, and are good upon the north side.

Interrogatories by W. H. Farrar, on behalf of George W. Johnson.

Interrogatory 1. Give your views of that place as a town site in comparison with any other in that section.

Answer. It is far ahead of any other in that section. There is no other place there or anywhere around that can be compared with it. It is like any other place situated as is that, at the head of navigation, where there is a heavy business done above and below it.

Interrogatory 2. State the amount of freight which has probably passed over the Cascade portage since the 1st of January, A. D. 1856.

Answer. I cannot do it with exactness. During some two years I have been employed in the transportation of freight upon that portage. I have at other times been engaged in the carriage of passengers on that portage. From my experience and observation I believe it to be safe to say that it has averaged nine thousand tons per year from the west to the eastern end of the portage. The cost of transporting that freight would not amount to more than two dollars and a half per ton. During a part of this time the price for transportation was as high as twenty dollars per ton, and from that to eight dollars.

Interrogatory 3. State whether or not the freight would not have been over Johnson's land since 1856 but for the occupation of his land by the military.

Answer. I have no doubt that it would, and so have continued. It was the occupation of the land which built up the business on the Oregon side of the river.

Interrogatory 4. State whether or not business between eastern and western Oregon and Washington has not rapidly and very greatly increased since 1856.

Answer. It has, and is now daily increasing.

Interrogatory 5. State what would have been the annual value of a commission business at that point since 1856 if it had not been occupied by the military?

Answer. Upon mature consideration I believe it would have averaged per year some over forty thousand dollars. I have always thought that a good hotel there would have cleared at least twenty-five hundred dollars per year.

Interrogatory 6. State the natural increase in the value of that point as town

or city property, if it had been left in Johnson's possession from year to year, over its value as farming land.

Answer. As farming land it would not have increased much in value. As town property it would have increased in value in proportion to the increase of business there and between eastern and western Oregon and Washington. If a lot had been worth in 1856 one hundred dollars, it would now be worth one thousand dollars, if the military had let the land alone.

Interrogatory 7. In view of its advantages, what would have been a fair rent for that property since 1856 per year?

Answer. Twenty thousand dollars per year.

Interrogatory 8. When the government troops took possession of that point, was it in the occupancy of hostile Indians?

Answer. No, sir.

Interrogatory 9. Was the occupancy of that land by troops necessary to the suppression or prevention of Indian hostilities?

Answer. No, sir. That was not the place to have established the troops if there had been Indian hostilities in that section of country. They should have been stationed at least three miles up the river.

Interrogatory 10. At the time the government troops took possession of the land, how near were there any hostile Indians?

Answer. I can't tell. I have never heard. There were none in that vicinity.

Interrogatory 11. Did the United States troops occupy the whole of the landing, and enclose it so as to exclude all others unless with their permission?

Answer. Yes.

Interrogatory 12. State whether or not you know of any person or persons having been driven from that claim by the military, or excluded from the landing.

Answer. I do. I was myself made by the military to remove my horses and wagons from the land. A Mr. Kilborn was stopped from landing horses there from a ferry-boat. The military caused a wharf boat which was along the landing to be removed, and it was sent from there to the Oregon side of the river. Others were prevented from landing there. Frequently persons were stopped from walking or riding across the land. The road was fenced up.

Interrogatory 13. State whether or not the military recognized that Johnson had any more right there than any other citizen.

Answer. They did not. I don't think they allowed him as much privilege there as I had. Others were treated by the military better than Johnson was.

Interrogatory 14. State whether or not, from the time the military took possession, you were at the Cascades, and had ample opportunities to know what was there done.

Answer. I was at the Cascades until December, 1857, and since have occasionally been there. I had good opportunity to ascertain and see what was transacted.

Interrogatory 15. State if you heard any remarks made by citizens on that land in the nature of complaints or regret that the troops were there.

Answer. Yes, sir. It was a frequent remark that the troops were fully as bad for them as hostile Indians would be.

Interrogatory 16. State if you know of a widow lady and her children having been removed from that land; and if yea, when and by whom?

Answer. About the first of May, 1856, a widow and her family were forcibly removed from the land by the military.

Interrogatory 17. State if you know of any building having been removed or pulled down by the military.

Answer. They pulled down a house belonging to Johnson.

Interrogatory 18. State whether or not you are, directly or indirectly, interested in the land claim of Johnson, or in his claims against the government.

Answer. No, sir; I am not.

S. B. IVES.

John H. Alexander, of lawful age, being duly sworn to testify the truth, the whole truth, and nothing but the truth, in his answers to the interrogatories propounded to him, deposes and says as follows :

Interrogatories propounded on behalf of the United States.

Interrogatory 1. What is your name, age, occupation, and where do you reside ?

Answer. My name is John H. Alexander; age, fifty-eight; millwright; and reside in Clickatat county, Washington Territory.

Answer to interrogatory 2. I am.

Answer to interrogatory 3. It is situated on the north side of the Columbia river, at head of ship navigation. It is in Skamania county, Washington Territory. I do not, of my own knowledge, know anything about the survey of the claim.

Answer to interrogatory 4. He was on the land in 1852, when I first went to the Cascades. I have heard when he took the claim, but know nothing as to the time, of my own knowledge. At the time the troops took it the place had been previously burned. He was residing, with his hired men, in a building which was torn down by order of the military. He had then a wharf boat, a schooner, two bateaux, a garden, some fencing. The schooner, bateaux, wharf boat, &c., were worth about three thousand dollars.

Answer to interrogatory 5. I think the military were there about the last of March. My recollection is, that they did not begin to build until some time in April or May. The only way I can come at the value of the land is from what he was making by merely occupying and holding that claim. I think he was making about four thousand dollars per year, over and above all expenses. From its location, if he had not been interfered with by the military, it is impossible for me to tell what it would have come to. If I had been in Johnson's place, I would not then have been interfered with in my possession of the place for fifty thousand dollars. As to the real or actual value of the land then, I would not undertake to make any figures.

Answer to interrogatory 6. I do not know whether the whole tract was taken or not; but the military took the water front, and exercised at that place such absolute control that his land was worth nothing to him. The military would not allow him to do anything without their consent or permission. One day they would tell him he might do some business, and the next day they would tell him he could not and should not do it. In making an estimate of the value of the property above, I have not fixed the sum at what the same was worth to Johnson, but what it would cost to put the same there. The property was worth to Johnson, in his whole business transactions, one thousand dollars per month.

Interrogatories propounded by Surveyor General Tilton.

Interrogatory 1. What was the effect of the military occupation upon the transportation business of Johnson ?

Answer. The effect was to drive all business away from him, and to break him up in that business.

Interrogatory 2. Are the natural facilities for a portage better upon the north or Johnson's side of the river, or upon the south or Oregon side ?

Answer. Better upon the north side by a great difference.

Interrogatories propounded by W. H. Farrar, attorney for George W. Johnson, and answers thereto.

Answer to interrogatory 2. It is the head of ship navigation; from the lay of the land it is a fine place for a town site; there is no place near to be compared with it; the facilities for building a railroad from that point around the Cascades are good, and a road there would furnish facilities for the carriage of freight and passengers cheaper than they could be transported on any other route. If the military had not interfered with Johnson, I have no doubt that all of the freight and travel on the river would have been till now, and for the future, over Johnson's place. There could have been no successful competition. No one could have commenced and carried through a road on the Oregon side of the river. I have no means sufficient to enable me to tell what amount of freight and travel passes up and down the Columbia. The amount of freight brought up the river now is at least six times more than it was in the year 1855. There is fully three hundred tons per week brought up the river to the Dalles by steamboats, all of which has to be carried over the portage at the Cascades.

Answer to interrogatory 3. I cannot estimate the annual value of either a commission or hotel business; both would have been very profitable.

Answer to interrogatory 4. The natural increase in the value of that point, as town or city property, if it had been left in Johnson's possession from year to year, would have been twenty per cent. per year. As farming land it would be worth no more than other claims in that vicinity. There are no claims in that vicinity for sale.

Answer to interrogatory 5. A fair rent for that property per year would have been the profits arising from transportation and hotel business done thereon.

Answer to interrogatory 6. That place was not in possession of hostile Indians when the military took possession, and its occupancy was not necessary for the suppression of Indian hostilities, and we have no reason to suppose there were any hostile Indians then within one hundred miles of the place. For the protection of the Cascades, if any was necessary, the troops should have been stationed at the upper Cascades instead of the lower Cascades, and a small number of troops at the upper Cascades would have been sufficient to keep at a distance the hostile Indians, if any had been in the vicinity.

Answer to interrogatory 7. The United States troops occupied and enclosed the whole of the landing. They built a high fence so as to shut out the old landing place of the boats, except that used in very low water, and this was occupied as a road, and a wharf boat was located there which belonged to the government. Everybody was excluded from using the landing unless with the permission of the United States officers.

Answer to interrogatory 8. This question I have heretofore answered as well as I can.

Answer to interrogatory 9. On the south side of the river, after Johnson's business was broken up by the military occupation of his land, parties attempted to build a railroad over the portage. Before it was completed it was swept away by high water. The road has been rebuilt, and in some places during high water it must stand in water thirty feet deep. Parts of this road are liable to be destroyed at any time during high water of the Columbia. The road is not safe or permanent, and to build one in the river, as would have to be done for any kind of a road on the Oregon side, would cost an immense amount of money. There is not room to build a road across the portage on the Oregon side without building it in the river in places. The road now being built is a wooden road. A railroad, or any road, could be constructed and maintained thirty per cent. less upon the north than the south side. There is a road—wooden railroad—over a part of the portage on the north side, and it would

have been continued to Johnson's landing in 1856-'57 if the military had not sold his land.

Interrogatory 10. State whether a rail or any other road can be made, running from the upper Cascades to the west of Johnson's land, without crossing said land and claim.

Answer. I think not.

Interrogatory 11. In the carriage of freight and passengers, on the north side of the Columbia, between western and eastern Oregon and Washington Territory, would not the same pass over the land of Johnson.

Answer. Yes, it would.

Interrogatory 12. From the time you first knew Johnson upon that land in 1852, did he reside upon and cultivate that land until the military took possession in 1856?

Answer. Yes, sir.

Interrogatory 13. State whether or not there were, in 1852, when you went to the Cascades, any settlers upon the public lands between the Cascades and the Dalles?

Answer. I think not.

Interrogatory 14. State when Johnson commenced the transportation business on the Cascades.

Answer. In 1853 he commenced it as a regular business?

Interrogatory 15. State whether or not he was regularly and continuously in business from that time until his business was broken up by the military occupancy of the land.

Answer. He was.

Interrogatory 16. State whether or not the business increased during that time, and how much.

Answer. Yes, sir; it did. From 1853 to 1856 it must have increased tenfold.

Interrogatory 17. State whether or not, from 1856 to the beginning of this year, freight and passenger business has increased, and how much.

Answer. Yes, sir; at least sixfold.

Interrogatory 18. State whether or not you have an interest, direct or indirect, in the land or the claims of Johnson against the United States.

Answer. I have none, never had, and never expect to have.

J. H. ALEXANDER.

Joseph B. Riley, of lawful age, being duly sworn to testify the truth, the whole truth, and nothing but the truth, in his answers to the interrogatories propounded to him, deposes and says as follows:

Interrogatories by the United States.

Interrogatory 1. What is your name, age, occupation, and where do you reside?

Answer. My name is Joseph B. Riley; my age, twenty-nine years; my occupation is carpenter; and reside at the Dalles, Oregon.

Answer to interrogatory 2. I am.

Answer to interrogatory 3. It is at the lower Cascades, on the Washington side of the Columbia river. He claims a half section of land there. I do not personally know whether it has been surveyed for him. I know where his northeast and southwest corners are.

Answer to interrogatory 4. I do not know when George W. Johnson settled upon that land. I went on to the land in 1856 while in the employment of the Quartermaster's department of the United States army. I cannot tell about his movements with any certainty; but at that time Johnson had a house there

which he was living in. He had a garden, a small orchard, some fencing, a wharf boat, a schooner, some bateaux or small boats. I judge his improvements there at that time to have been worth at least eight or ten thousand dollars.

Answer to interrogatory 5. The land of Johnson, I think, was taken possession of in April, 1856. I commenced work there, putting up buildings on that land for the military, on the 3d of April, I think. I am not quite certain as to the day. I am not able to fix any particular sum as the value of the land claim then. It was by everybody considered as a very valuable place. I regard it as the only place for a town site anywhere near the Cascades. If the place could be had so as to use it as a town site, and for the transportation of freight over the Cascade portage, I should say it was worth from two hundred and fifty thousand dollars to one half million of dollars.

Answer to interrogatory 6. When the military commenced operations there they claimed all of the landing or river front, and ran back so that they took in the whole width of the claim. They cut and used timber on the claim. There was a large open plain on the land which they used for the exclusive use of their stock. They drove off other people's stock from Johnson's claim.

I judge of the value of the property from my observation of it at that time; from its highly advantageous location; from the amount of travel and freight that passes up and down the Columbia; from his great advantages over the Oregon side for the landing of sail and steam vessels, and for the discharge of freight, and its facilities over the south side for the construction of a good railroad or any other kind of a road.

Interrogatories propounded by Surveyor General Tilton.

Interrogatory 1. What was the effect of the military occupation of Johnson's land upon his transportation business?

Answer. It very essentially interfered with it. Business began at once to seek a passage over the Oregon side of the Cascades.

Interrogatory 2. Are the natural facilities for a portage better upon the north or Johnson's side of the river, or upon the south or Oregon side?

Answer. They are very much better upon the side of Johnson. A rail or other road can be built upon his side to good advantage, and without building any of it in or over the river. On the other side it is impossible to build any kind of a road, or even a practicable trail, without building a part of the road in the river.

Interrogatories propounded by Colonel W. H. Farrar, on behalf of George W. Johnson.

Interrogatory 1. State whether or not that claim is at the head of sloop and steamboat navigation of the lower Columbia.

Answer. It is.

Interrogatory 2. State what you believe would have been the annual profits, since 1855, of an ordinary hotel at that place.

Answer. It was, in 1856, a good place for a hotel, and it would have cleared more than three thousand dollars that year, and every year since the profits would have increased. Travel has very largely increased year after year upon the river since 1856.

Interrogatory 3. State what business you are now engaged in, and where.

Answer. I keep the largest hotel in the city of the Dalles.

Interrogatory 4. In view of all its advantages, what would have been a fair rent for that property each year since the 1st of January, 1856?

Answer. Twelve to fifteen thousand dollars.

Interrogatory 5. When the government troops took possession of the place were there any hostile Indians there ?

Answer. No, sir.

Interrogatory 6: Did any come there, or anywhere within miles and miles of the place, afterwards ?

Answer. No, sir.

Interrogatory 7. Did the United States troops occupy the whole of the land at that point, and enclose the same and hold it, so as to exclude Johnson and all others from using it, unless with their consent ?

Answer. They did.

Interrogatory 8. State whether or not you recollect of a new wharf boat having been brought up the river to be used for the discharge and storage of freight in the transportation business ; and if yea, state whether the officers of the army interfered with the same in any manner.

Answer. I do. In 1856, in the summer or fall, it was brought up to Johnson's landing, and the military made Johnson move it off, and it had finally to be taken on to the Oregon side of the river.

Interrogatory. 9. State whether or not you know of any of the officers having prevented travellers from passing over Johnson's land in going from the lower to the upper Cascades.

Answer. I know of several who were turned off from the main direction, and some who were not allowed to cross Johnson's land at all. This was done by the military.

Interrogatory 10. State whether there is or can be any communication between the upper and lower Cascades without crossing over the land of Johnson—I mean on the north side of the river.

Answer. No, sir ; there is not, and cannot be.

Interrogatory 11. State whether or not you own or have any interest in the lands or land claim of said Johnson, or in his claims against the government, either directly or indirectly.

Answer. No, sir

JOS. B. RILEY.

James C. Roper, of lawful age, being duly sworn to testify the truth, the whole truth, and nothing but the truth, in his answers to the interrogatories propounded to him, deposes and says as follows :

Interrogatories propounded by the United States.

Interrogatory 1. What is your name, age, occupation, and where do you reside ?

Answer. My name is James C. Roper ; age, thirty-eight years ; occupation, an orderly sergeant in the United States army ; and reside at Fort Dalles, in Oregon.

Answer to interrogatory 2. I am.

Answer to interrogatory 3. It is in Skamania county, Washington Territory, and on the north side of the Columbia river, and at the head of steam navigation. I understand, and always have since I have known anything of it, that his land claim embraced three hundred and twenty acres of land. I do not know anything about any survey of his claim.

Answer to interrogatory 4. I do not know, of my own knowledge, when Johnson settled upon the land. I first knew of Johnson and of the land claim in April, A. D. 1854. He was at that time considered the owner of the same. I am not now able to enumerate his improvements at the time the military took possession of the land, and consequently cannot undertake to state their value.

I know that he had a hotel and store on the land before that time. It strikes me that he also had some two or three other buildings before that time. He had a pretty good wharf boat—as good as any on the Columbia river. He had a schooner, and there were bateaux and other boats there.

Answer to interrogatory 5. The land was taken possession of, as well as I can recollect, early in 1856. It was then worth at least one hundred thousand dollars.

Answer to interrogatory 6. I do not know how much land the military claimed. They had enclosed some twenty acres. They took and occupied the best part of the land, and in such a way as to render the other parts of the claim valueless during such occupancy. I rely upon the location of the claim, its intrinsic value as a town site, the advantages it possesses over the Oregon side, the country east of the Cascades, the settlements therein, the business done, &c.

Interrogatories proposed by Surveyor General Tilton.

Interrogatory 1. What was the effect of the military occupation upon the transportation business of Mr. Johnson?

Answer. It cut it off entirely. It stopped it, and drove the business from that place.

Interrogatory 2. Are the natural facilities for a portage better upon the north or Johnson's side of the river, or upon the Oregon side?

Answer. On the north side, most decidedly.

Questions propounded by W. H. Farrar, attorney for Johnson.

Interrogatory 1. Can a rail or other road be built from the upper to the lower Cascades, on the Oregon side, without building a large portion of the road in the river?

Answer. It cannot.

Interrogatory 2. Can it be done on the north side without going anywhere into the river.

Answer. Yes, entirely.

Interrogatory 3. Do you know of a road on the Oregon side having been at any time wholly or in part washed away; and if yea, when, what kind of a road, and whose was it?

Answer. Yes; there was a railroad, or a part of one, on the Oregon side, destroyed by the first high water after it was built. It was some two years or more ago. It belonged to Ruckle, it was said.

Interrogatory 4. What is the probability of a road remaining on the Oregon side?

Answer. I suppose a road might be built that would be permanent; but it would cost an immense sum to render it certain of standing.

Interrogatory 5. What are your views of that land as a location for a town site, as compared with any other in that section of country?

Answer. It is the only place for a town site in the vicinity of the Cascades.

Interrogatory 6. What has been the yearly increase of freight and travel between the country east and west of the Cascades since the beginning of 1856?

Answer. It has been very great indeed. It must be five hundred per cent., or more.

Interrogatory 7. Has the country east of the Cascades settled up rapidly, or otherwise, during that time?

Answer. The country has settled very rapidly.

Interrogatory 8. If Johnson had been in possession of his land, what amount could he have realized from his hotel there per year since 1856?

Answer. If Johnson could have been in the use of his land since 1856, I

should estimate that he might have cleared five thousand dollars per year from his hotel there.

Interrogatory 9. What would have been the annual profits of a commission business at that point since 1856 if the military had not been there?

Answer. I will not undertake to specify any sum. It would have been immense.

Interrogatory 10. In view of its location and superior advantages, what would have been a fair rent per year for that land since it was taken by the military authorities?

Answer. Ten thousand dollars per year.

Interrogatory 11. State whether or not you are, directly or indirectly, interested in the land of Johnson, or his claims against the government of the United States.

Answer. I am not in any way interested, directly or indirectly.

JAMES C. ROPER,

Ordinance Sergeant, United States Army.

Charles B. Wagner, of lawful age, being duly sworn to testify the truth, the whole truth, and nothing but the truth, in answers to interrogatories propounded to him, deposes and says as follows:

Questions by the United States.

Interrogatory 1. What is your name, age, occupation, and where do you reside?

Answer. Charles B. Wagner; age, thirty-six; occupation, clerk; and reside at Vancouver, Washington Territory.

Answer to interrogatory 2. Yes, with a part, at least. I know where they are.

Answer to interrogatory 3. That I cannot answer. It is on the Columbia river, at the lower Cascades; that is all I know about it.

Answer to interrogatory 4. I do not know anything about that question. It was before my time in this country.

Answer to interrogatory 5. I don't know that.

Answer to interrogatory 6. I really cannot answer this question, of my own knowledge. The military took possession of the reserve there, but how much of Mr. Johnson's claim it occupied I don't know. I cannot answer the question any further.

Questions by the surveyor general.

Interrogatory 1. What was the effect of the military occupation upon the transportation business of Mr. Johnson?

Answer. I don't know what it was, except we occupied the landing there. I mean by "we" the military.

Interrogatory 2. Are the natural facilities for a portage better upon the north or Johnson's side of the river, or upon the south or Oregon side?

Answer. That I am not able to answer. I have never been over the Oregon side, and don't know what that is.

Questions by W. H. Farrar, attorney for George W. Johnson.

Interrogatory 1. Are you now connected with the United States army; and if yea, in what capacity?

Answer. Yes, sir; as quartermaster's clerk.

Interrogatory 2. How large was and is the military reservation at the lower Cascades?

Answer. I think it took in a mile square, but I am not certain of it.

CHARLES B. WAGNER.

Henry M. Black, of lawful age, being duly sworn to testify the truth, the whole truth, and nothing but the truth, in his answers to the interrogatories propounded to him, deposes and says as follows :

Questions by the United States.

Interrogatory 1. What is your name, age, occupation, and where do you reside ?

Answer. My name is Henry M. Black ; age, thirty-four years ; occupation, an officer of the army ; and reside at Fort Vancouver, Washington Territory.

Answer to interrogatory 2. I am acquainted with them partially. I don't know the extent of them.

Answer to interrogatory 3. I cannot state anything from my personal knowledge. The buildings of the post called Fort Cascades I have always heard were built upon Mr. Johnson's land. The situation of his claim is at the Lower Cascades. I don't know the extent of the tract. I have heard that he owned a claim of land there under the donation law. I don't know whether it was ever surveyed.

Answer to interrogatory 4. I don't know when Johnson settled on that land. He had no improvements there except a corral, some rails, and the remains of the ruins of a zinc house.

Answer to interrogatory 5. I was there when Captain Winder proclaimed the reservation. That was in the latter part of April or first part of May, 1856. As to the valuation of the land at that time, I did not know the extent of his claim ; and just having come into the country then, and not knowing the extent of his claim, I would not have been able to give the valuation of it.

Answer to interrogatory 6. I don't exactly know how to answer as to the extent of the interference. The proclamation embraced about a mile square. There was a written order or proclamation. That order was posted up. I can't say whether it took all of his tract or not. The remainder of the question is answered in this and my previous answers. The proclamation or order covered and included the steamboat landing at that time.

Questions by the surveyor-general.

Interrogatory 1. What was the effect of the military occupation upon the transportation business of Johnson ?

Answer. While I was there I could see no particular effect upon it. I was there about one month, and he carried on his business. There was no particular interference with him.

Interrogatory 2. Are the natural facilities for a portage better upon the north or Johnson's side of the river, or upon the south or Oregon side ?

Answer. They are better upon the north side. I never have been upon the south side as often as over the north side. They are better upon the north side, so far as I know them. I have never been over the south side but once, and then by rail.

Questions proposed by W. H. Farrar, attorney for Johnson.

Interrogatory 1. State whether or not you were acquainted with Lieutenant George H. Derby, of the topographical corps.

Answer. I was.

Interrogatory 2. State whether or not he constructed a military road over the Cascade portage, and when.

Answer. He was at work upon a military road in May, 1856, upon the north side of the river.

Interrogatory 3. State whether or not he examined the portage upon each side of the river before he located the military road.

Answer. That I can't say, exactly. My impression is, that he started over the south side, but whether he went over the portage or not I can't tell. I was there but a short time after Derby went to the Cascades. Lieutenant Welker was ordered by Colonel Wright, in April, 1856, to make an examination of the south side of the river or portage, but I can't say what was the result of his examination.

Interrogatory 4. Who was Lieutenant Welker?

Answer. He was then a first lieutenant of the ordnance corps.

Interrogatory 5. Where are Lieutenants Derby and Welker?

Answer. Derby is dead; Welker is at Astoria, Oregon.

H. M. BLACK,
Captain 9th Infantry.

N. H. Gates, of lawful age, being first duly sworn to testify the truth, the whole truth, and nothing but the truth, in his answers to the interrogatories propounded to him, deposes and says as follows:

Questions by the United States.

Interrogatory 1. What is your name, age, occupation, and where do you reside?

Answer. My name is N. H. Gates; I am a practicing lawyer; reside at the Dalles, Oregon, and am forty-nine years old.

Answer to interrogatory 2. Yes; and have been since the winter of 1852-'53.

Answer to interrogatory 3. It is situated at the head of steamboat navigation of the lower Columbia river, on the north side of the river, in Washington Territory. It includes the only eligible steamboat landing at the Cascades. It contains three hundred and twenty acres of land, and its limits were determined and marked by survey. I have been at the corners of the claim, and know the lines. I saw them in the fall of 1853. I am well acquainted with the surrounding country. It is the only site for a town in that whole country.

Answer to interrogatory 4. I don't know, of my own knowledge. He was there when I first went to the Cascades—in the winter of 1852-'53. By report Johnson settled on that land in 1850; and he resided on it until it was taken from him by the military. I know that but a short time before the military took it that he had a valuable store and tavern. There were other buildings—a wharf boat, &c. He had a garden and also an enclosed field. I think he had fruit trees on the place. I was not at the Cascades for some three months before it was taken as a military reserve. I now recollect that he had a pretty good schooner and some other boats. I object to fix any value upon that property. It was very valuable.

Answer to interrogatory 5. To the best of my recollection, about April 1856. It was worth one hundred thousand dollars, or more, at that time.

Answer to interrogatory 6. I am not able to say whether the whole tract was or not taken by the department. All the valuable part was taken, and it interfered so as to prevent the transaction of business upon the land. That which was taken was worth as I have above stated. I rely, in making my estimate of its value as above, upon the situation or location of the land, the value of property in Oregon, the business done there, and the fact that it is the natural key or connecting link between eastern and western Oregon and Washington Territory.

Questions by the surveyor general.

Interrogatory 1. What was the effect of the military occupation of that land upon the transportation business of Mr. Johnson?

Answer. It threw him out of business.

Interrogatory 2. Are the natural facilities for a portage better upon the north or Johnson's side of the river, or upon the south or Oregon side?

Answer. Upon the north side.

Questions on behalf of George W. Johnson, proposed by his attorney, W. H. Farrar.

Interrogatory 1. Please state your views of that location as a town site, as compared with any other in that section.

Answer. It is the only eligible—the only site for a town. There is no other place for a town which vessels, sail or steam, can reach or use.

Interrogatory 2. What are the facilities for building a rail or other road from that point around the Cascades?

Answer. They are good, or they are much better than upon the Oregon side. It would cost much less upon the north than the south side.

Interrogatory 3. What facilities would a railroad from that point around the Cascades furnish for the transportation of freight and travel?

Answer. Good. I have examined both sides of the river with the view of constructing a road. At that time (1854) I had no idea that freight and travel would or could increase as it has. It is constantly and very rapidly increasing now. I think there is, I believe, forty tons of freight now to where there was one ton in 1854 carried over the Cascade portage. The number of passengers or travellers now over 1854 is three to four hundred per cent. greater.

Interrogatory 4. State the annual value of a commission business that would have been done at that point if it had not been occupied by government troops.

Answer. It would have been ten thousand dollars in 1856.

Interrogatory 5. State what would have been the profits from a good hotel per year there if the land had been free or unoccupied by troops.

Answer. Three thousand dollars per year, clear of all expenses.

Interrogatory 6. State the natural increase in the value of that point as town or city property if it had been left in Johnson's possession, from year to year, over its value as farming land.

Answer. From year to year fifty per cent. it would have increased in value as town property. As farming land it would not have increased very much.

Interrogatory 7. In view of its advantages, what would have been a fair rent for that land per year since the 1st of January, 1856?

Answer. Ten thousand dollars per year.

Interrogatory 8. Has there or not, since the military took possession of Johnson's land, been a railroad commenced or built upon the Oregon side of the river; and if yea, is it in whole or in part built in the river? What is the depth of water, and what the probability of such road remaining?

Answer. Yes, there has been. A considerable portion of it is built in the river, because it could not be built anywhere else. The water rises and falls along parts of that road from twenty-five to thirty feet. Its durability is very doubtful. A part of the road has once been destroyed by the water, and it may be again. The first time a tree falls on parts of it the road would be tumbled down.

Interrogatory 9. State whether or not a railroad has ever been built over the whole or a part of the portage on the north side of the river; and if so, when?

Answer. In 1856 a railroad was built over a part of the portage, which road

is now standing in good order. It was then the understanding to continue that road to Johnson's place, and that it was discontinued on account of the military occupation of Johnson's land.

Interrogatory 10. State whether or not you have any interest in that land of Mr. Johnson's, or in his claims upon the United States.

Answer. Not any, sir.

N. H. GATES.

John McNulty, of lawful age, being duly sworn to testify the truth, the whole truth, and nothing but the truth, in his answers to the interrogatories propounded to him, deposes and says as follows :

Questions on the part of the United States.

Answer to interrogatory 1. My name is John McNulty; age, twenty-nine years; am captain of steamboat Idaho; and reside at the Dalles, Oregon.

Answer to interrogatory 2. Yes, I am.

Answer to interrogatory 3. It is in Washington Territory, on the north side of the Columbia river, at the foot of the rapids of the river. It is at what is known as the Lower Cascades. I am not particularly acquainted with his lines.

Answer to interrogatory 4. I do not know myself when Johnson settled on that land. He was living on that land when I commenced running on the lower Columbia river, in 1853, about the month of August. He had a store, hotel, a schooner, I think, some bateaux, a stable, and out-buildings. I don't know their value.

Answer to interrogatory 5. It was taken possession of some time in the year 1856. I cannot judge of the value of the land at that time. I have had no experience in buying or selling lands, and do not consider myself competent to make any estimate of the worth of that place. I have ever regarded it as very valuable land. All of the business between the east and western side of the mountains was done there. I regarded it, and do now, as worth more than all the rest of the country. If ever there is a railroad built there, it will command the business.

Answer to interrogatory 6. The military took possession, and he was ruled entirely out. He didn't seem to have anything to do with the place after that. The military exercised an absolute control over the landing and the property. I refer to my answer to interrogatory No. 5 as my answer to the last part of this question.

Questions by the surveyor general.

Interrogatory 1. What was the effect of the military occupation of that land upon the transportation business of Mr. Johnson?

Answer. It was, of course, very prejudicial to it.

Interrogatory 2. Are the natural facilities for a portage better upon the north or south side of the river?

Answer. Upon the north side.

Questions by Colonel Farrar, on behalf of Johnson.

Interrogatory 1. How long have you been master of the steamboat Idaho, and in what trade is and has it been engaged?

Answer. Since the 10th day of September, A. D. 1860. She is employed in the carriage of freight and passengers between the Cascades and Dalles.

Interrogatory 2. What number of trips has she made per week, both up and down the river?

Answer. Three each week.

Interrogatory 3. What number of tons of freight and of passengers has she averaged?

Answer. Sixty tons per trip and sixty passengers. Often she has had over one hundred passengers.

Interrogatory 4. How and where were you employed from August, 1853, to September, 1860?

Answer. On steamboats in the trade between Portland and the lower Cascades.

Interrogatory 5. Up to the time the land of Johnson was occupied by the military, where did the steamboats land and discharge and receive their freight and passengers at the lower Cascades?

Answer. On the land of George W. Johnson.

Interrogatory 6. State whether or not that is the natural and best landing for steam and sail vessels at the Cascades.

Answer. O, yes; that is altogether the best, and is the natural place for them.

Interrogatory 7. How many steamboats are there now upon the waters of the Columbia, between the Cascades and the Dalles?

Answer. There are five.

Interrogatory 8. How many are there in the trade on the Columbia river above the Dalles?

Answer. There are now three.

Interrogatory 9. How many in the trade between Portland and the lower Cascades?

Answer. There are four, owned by one company. Sometimes other steamers run there.

JOHN McNULTY.

Julius Sorensen, of lawful age, being duly sworn to testify the truth, the whole truth, and nothing but the truth, in his answers to the interrogatories propounded to him, deposes and says as follows:

Questions by the United States.

Interrogatory 1. What is your name, age, occupation, and where do you reside?

Answer. My name is Julius Sorensen; age is twenty-nine years; am first officer of the steamer "Julia," and reside at Portland, Oregon.

Answer to interrogatory 2. I am.

Answer to interrogatory 3. It is at the head of landing for vessels on the Columbia river, on the north side, in Skamania county, Washington Territory. I know the lines of his claim, but don't know how much land they include. It was surveyed by Justin Chenoweth for George W. Johnson.

Answer to interrogatory 4. I became acquainted with Johnson in August, 1855. He was living on the land then. That was the first time I was at the Cascades. At the time the military took his land he was doing a transportation business of goods, going into the upper country. He had a house there, a store, a wharf boat, a schooner, one bateau, and I don't recollect whether or not there were other improvements. I don't know as to the value of his land improvements. They were worth more to him than they could have been bought for. The wharf boat was used as a storehouse for the reception of freight. I think his improvements were then worth six thousand dollars.

Answer to interrogatory 5. In the spring of 1856. I would not be much of

a judge of the value of that land then or now. I considered it as very valuable; more so than any other place on the river. Some would have given more for it than others.

Answer to interrogatory 6. The whole tract was taken by the department. They took the whole control of his land, and whatever the land was worth that the military had; and so with his improvements. The location made it valuable; the landing of the steamers made it valuable; the amount of business done there. It was the only site for business.

Questions by Surveyor General Tilton.

Interrogatory 1. What was the effect of the military occupation of that land upon the transportation business of Mr. Johnson?

Answer. It drove it off to other places. The military authorities allowed people to travel on the military road, but did not anybody outside, except at their pleasure.

Interrogatory 2. Are the natural facilities for a portage better upon the north or Johnson's side of the river, or upon the south or Oregon side?

Answer. On the north side.

Questions on behalf of Johnson, proposed by his attorney, W. H. Farrar.

Interrogatory 1. Give your views of that location for a town site, as compared with any other in that section.

Answer. It is far preferable to any other. There is no other place for a town site in that section.

Interrogatory 2. What are the facilities for building a railroad, or any other, from that point around the Cascades?

Answer. Good; it is the only practicable place.

Interrogatory 3. State whether or not a rail or other road from there around the Cascades would furnish facilities for the transportation of freight and passengers, and tend to increase business.

Answer. It would. If the military had not been there the railroad would have been extended to Johnson's landing, and would have kept all business there.

Interrogatory 4. State what would have been the profits of a commission business done at that point, if it had not been occupied by the government troops.

Answer. He must have been making some nine or ten thousand dollars a year clear of all expense when the land was taken by the military. The business would have increased year after year ever since.

Interrogatory 5. State what would have been the profits from a good hotel since 1856 if Johnson had been undisturbed.

Answer. It would have amounted to three or four thousand dollars each year, clear.

Interrogatory 6. State the natural increase in the value of that point, as town or city property, if it had been left in Johnson's possession, over its value as farming land.

Answer. As farming land it might have increased some if some one had been living there and cultivated it as a farm; that is, what could be cultivated. If he had had it while the military have, there would have been a good many buildings there now. It would have been a flourishing town. The land, as town property, would have been worth six times more than it was then.

Interrogatory 7. In view of its advantages, what would have been a fair rent for that land each year since it was taken by the military?

Answer. Fifteen thousand dollars per year.

Interrogatory 8. When the government troops took possession of that point was it in the occupation of hostile Indians?

Answer. It was not.

Interrogatory 9. Was its occupancy by the troops necessary to the prevention of Indian hostilities there?

Answer. I think not.

Interrogatory 10. Did the United States troops occupy the whole of the landing at that point and enclose it, so as to prevent all others from using it, except with their permission?

Answer. They did. They made Johnson move his wharf boat, and put one belonging to the government where his was.

Interrogatory 11. On which side of the river at the lower Cascades is the best anchorage for sail vessels or for ships?

Answer. On the north side.

Interrogatory 12. Is or can there be any communication or a portage made between the upper and lower Cascades, except over the land of Johnson, on the north side of the Columbia?

Answer. There cannot be.

Interrogatory 13. If Johnson had retained his land, and a railroad had been completed to his point around or over that portage, state whether or not, in your judgment and opinion, his point would to this time, and for the future, have commanded the transportation business between the countries to the east and west of the Cascades.

Answer. I think it would have retained the business and monopolized it, and held it for the future.

Interrogatory 14. State whether or not there is a probability of a road remaining on the Oregon side.

Answer. It has been carried away once, and the chances are that it will be again. To build a permanent road on the Oregon side would require a great amount of blasting, and not much on the north side. Most of the way on the north side there is a natural level grade. It would cost more than double to build a road upon the Oregon side than on the north.

Interrogatory 15. Are the military still in possession of Johnson's land?

Answer. At present there are no troops there; but the land is still held by the military authority.

Interrogatory 16. You have stated that you are the first officer of the steamer Julia; in what trade is she engaged?

Answer. Between Portland and the Cascades.

Interrogatory 17. State whether or not there is any business being transacted upon Johnson's land now?

Answer. I don't know of any.

Interrogatory 18. State whether or not persons, other than Johnson, were allowed by the military to come upon and build, and transact business on Johnson's land, without Johnson's consent or permission.

Answer. Yes; I know of one colored man who got permission from the military to build, and he did build. One or two others did. Johnson was not recognized by the military as having any rights there, and no more privileges than any stranger.

Interrogatory 19. State whether or not the military ever drove off or kept off persons from going upon the land or passing over it.

Answer. Yes, sir; they did several times that I know of.

Interrogatory 20. State whether or not you know of the military ever having interfered with any improvements which were being made by Johnson.

Answer. I know they prevented him from completing a stable he had commenced.

Interrogatory 21. State whether or not those persons whom the military

allowed to go upon Johnson's land and build and do business ever paid Johnson any rent for the use of the land.

Answer. They never paid him a cent.

Interrogatory 22. State whether or not you have any interest, direct or indirect, in the land of Johnson, or in his claims upon the United States.

Answer. Not the least, sir.

JULIUS SORENSEN.

Seth S. Slater, of lawful age, being duly sworn to testify the truth, the whole truth, and nothing but the truth, in his answers to the interrogatories propounded to him, deposes and says as follows:

Questions by and on behalf of the United States.

Interrogatory 1. What is your name, age, occupation, and where do you reside?

Answer. Seth S. Slater; age, forty years; am a merchant, and reside in Washington Territory.

Answer to interrogatory 2. I am.

Answer to interrogatory 3. It is in Washington Territory, Skamania county, on the north bank of the Columbia river, at the foot of the cascades of that river. Its extent is three hundred and twenty acres. I don't know as to its survey. I know where his southeast and southwest corners are upon the river. His river front is about one-half of one mile in extent. I know the direction of his lines (east and west) running from the river north or northwardly.

Answer to interrogatory 4. I don't know of my own knowledge when Johnson settled upon that land. I found him there in 1853. His houses had been destroyed by the Indians in the spring of 1856. Just what improvements he had there when it was occupied as a military reservation I do not know. I recollect he had a garden, and there was another enclosure. He had a wharf boat, a schooner, and bateaux there when the land was taken possession of by the military. It would be pretty hard for me to fix the value of his improvements at the time inquired of. I cannot do it with any certainty or definiteness.

Answer to interrogatory 5. It was taken possession of the spring of 1856. It was the most valuable point on the Columbia river, and I have always so regarded it. It was valuable on account of its location and the facilities it afforded for business, and because it was the key to the whole country on each side of the mountains. I will not undertake to state in dollars and cents what it was then worth.

Answer to interrogatory 6. The interference was such as to control the passage over the land. The military occupied and controlled the landing. How much land was embraced in the reservation I am not able to state. They (the military) interfered with Johnson's transportation business. Captain Winder, having military command and power there, undertook to regulate all matters according to his will and caprice. There was always trouble about landing there. Constant objections and obstacles were interposed by the military to the transaction of any kind of business at that point. The military assumed the entire control of the place. The extent of their interference was such that he had not, and no one had, any place there to land. As to the value, I have already stated as fully as I am able. In making answers to the questions, I have relied upon my knowledge of the place and of the whole country, upon the fact that I was the clerk of steamboats engaged in trade at that place, and my personal observation of the conduct and effect of the military there.

Questions proposed to the witness by Surveyor General Tilton.

Interrogatory 1. What was the effect of the military occupation of that land upon the transportation business of Mr. Johnson?

Answer. It prevented his free use of the property, and by including the landing it left him no other eligible place to warrant him in trying to maintain his business. It prevented the erection of houses or buildings necessary to the business. It prevented any improvements by Johnson or other parties requisite to continue or carry on the transportation business. No facilities were offered him by the military to carry on the business, and in fact they prevented him from doing anything. It turned the channel of business from his place to some other point. No improvements were allowed to be made by him upon the land.

Interrogatory 2. Are the natural facilities for a portage better upon the north or Johnson's side of the river, or upon the south or Oregon side?

Answer. Upon the north side.

Questions proposed by W. H. Farrar, attorney for George W. Johnson.

Interrogatory 1. For how long a time, and when, were you connected with the transportation of freight and passengers to the lower Cascades?

Answer. About six years—from some time in 1853 to some time in 1859.

Interrogatory 2. During that time, from 1853 to the time Johnson's land was taken possession of by the military, where was the steamboat landing at the Cascades?

Answer. On Johnson's land; and the freight and passengers were discharged and received there.

Interrogatory 3. What were your duties as clerk of the steamboats you were engaged upon?

Answer. To attend to the reception and discharge of freight, collection of freights and passenger money, and a general supervision of the business.

Interrogatory 4. Give your views of that location for a town site, as compared with any other in that section.

Answer. It is decidedly the best anywhere near the portage.

Interrogatory 5. State whether it is at the head of sloop and steam navigation of the Columbia river.

Answer. It is.

Interrogatory 6. State the facilities for building a rail or other road from that point around the Cascades, the facilities such road would furnish for travel and transportation, and the amount of travel and transportation that would probably pass over that road, giving the probable increase each year.

Answer. The facilities are good. There is a natural, level grade the majority of the distance. Such road would facilitate the carriage of freight and passengers, and tend to increase the same. As to the probable increase each year, that would depend upon the settlement of the interior of the country and its rapidity. From 1853 to 1856 there was, comparatively, nothing doing in the interior to what there has been since 1856. Transportation and travel greatly increased in 1856 over any former time, and has greatly increased every year since.

Interrogatory 7. State the value of a commission business that would have been done at that point, if it had not been occupied by government troops, since 1856.

Answer. The business increased in 1855, and would have increased every year since. If it had, for instance, been worth three thousand dollars then, it would now have amounted to eight thousand dollars per year.

Interrogatory 8. What could have been cleared from an ordinary hotel per year since 1856?

Answer. If there had been a good hotel there it would have done a profitable business. If Johnson had been left alone by the military there would have been done a great deal more business than can now be estimated. I think there would have immediately sprung up a flourishing town. A hotel there would have been very profitable; it would have cleared more than three or four thousand dollars a year.

Interrogatory 9. State the natural increase in the value of that land as town or city property if it had been left in Johnson's possession, from year to year, over its value as farming lands.

Answer. It is of but little use or value as farming land. It is not, I think, good for anything but as a place of trade and commerce, and for the transportation of freight over that portage. It is all good for business purposes. As town property, it would have increased from year to year from twenty-five to fifty per cent. in value.

Interrogatory 10. In view of all its advantages, what would have been a fair rent for that property each year since it was taken possession of by the military?

Answer. From eight to twelve thousand dollars per year.

Interrogatory 11. When the government troops took possession of that point, was it in the possession of hostile Indians; and was the occupancy of it necessary to the suppression of Indian hostilities then existing there?

Answer. No, it was not; there were but a few Indians there then, and they are there now. I do not think the taking possession of that place was necessary to the suppression nor the prevention of Indian hostilities.

Interrogatory 12. Where was the nearest body of hostile Indians then?

Answer. I don't know, and don't believe anybody else does. None were seen anywhere about. There might have been some then in the Yakima country. There was no occasion for troops at that point from the time it was taken possession of as a reserve to the present for the prevention of Indian hostilities.

Interrogatory 13. Did the United States troops occupy the whole of the landing there, and enclose the same, so as to prevent and exclude all others from using it, unless with their permission?

Answer. Yes; and Captain Winder found fault because the quartermaster's freight was landed there.

Interrogatory 14. What efforts have been made to build a road around those cascades; when was such road built, by whom, if along or in the river; what is the depth of water; and what the probability of such road remaining?

Answer. When the military took possession, there was a railroad partially built over the portage, on the north side of the river. At that time it was the intention to have extended it to Johnson's landing. Johnson was interested, or to be, in that road. The work was suspended on account of the military occupation of that land. It destroyed all their calculations. Daniel F. Bradford was interested in that road. The road already built is along the bank of the river, above high-water mark. On the Oregon side a road was commenced in 1857, I think, and in 1859, in or about the month of June, the high water washed away and destroyed a considerable portion. The foundation of a part of this road is in the river. The river rises and falls there from twenty-five to thirty feet, and the current is strong and rapid. I should not like to run a locomotive over the road; it might be done, but I would not like to take the risk.

Interrogatory 15. Are you acquainted with Captain Rufus Ingalls, of the United States army; and if yea, is he interested in town lots in or adjoining the city of Vancouver?

Answer. I know him. He is reported to be interested in town property in or near Vancouver.

Interrogatory 16. State whether or not there is any communication, or can

there be, on the north side of the river, between the lower and upper Cascades, without passing over the land claim of Mr. Johnson.

Answer. No, not any, without climbing over mountains, and it would be difficult for any person to get over those.

Interrogatory 17. State whether or not you are, directly or indirectly, interested in the land claim of Mr. Johnson, or in his claims upon the United States.

Answer. I have no connexion with Mr. Johnson or his land or claims in any manner, and never had.

SETH S. SLATER.

On this 4th day of September, 1861, before me, James Tilton, surveyor general of Washington Territory, personally appeared Daniel F. Bradford, of lawful age, who being duly sworn to tell the truth, the whole truth, and nothing but the truth, in his answers to the interrogatories and cross-interrogatories proposed, deposes and says as follows:

Questions by the United States.

Interrogatory 1. What is your name and place of residence?

Answer. Daniel F. Bradford, Cascades, Skamania county, Washington Territory.

Interrogatory 2. Are you acquainted with the premises in Washington Territory claimed by George W. Johnson, and alleged to have been taken and occupied by the War Department, referred to in the resolution of the House of Representatives of February 11, 1861, copy A, hereto attached?

Answer. I am.

Interrogatory 3. Describe the situation and extent of the tract claimed by said Johnson, and state whether its limits were determined and marked by survey.

Answer. Situated at head of navigation for sea-going vessels of the Columbia river, and about one hundred and sixty miles from its mouth. In 1850 I, with others, brought a vessel of two hundred tons burden, laden, from San Francisco, California, to the Cascades, at Johnson's claim. He claimed three hundred and twenty acres, and I have frequently seen his corners on the river. The claim is in Skamania county, Washington Territory, and has been known as the "Lower Cascades."

Interrogatory 4. When did said Johnson settle upon the land in question; and what was the nature and value of his improvements, if any, at the time of the said alleged interference by the War Department?

Answer. He settled in the early part of July, 1850; when the military took possession, in 1856, he had then a wharf boat, used as a floating warehouse and in the storage of goods. His buildings upon the claim had been a few days before burned by hostile Indians, in the attack upon the settlement at the Cascades. Also he had several acres of ground under fence, and about one acre and a half cultivated as a garden.

Interrogatory 5: When was the land taken possession of by the War Department, and what was its value at that time?

Answer. In April, 1856, at which time it was in active use as one of the termini of the portage upon the Columbia, and was the only gate in the Cascade mountains between the upper and lower Columbia. His income at that time, derived from various sources upon the claim, was over eight thousand dollars per annum. It was taken possession of by the military in the first part of April, 1856. As regards the value of the property at that time, I answer that George W. Johnson left Sacramento in June, 1850, in company with myself—he to take possession of that claim, and I was to take one some three to four

miles further up. We were induced to do so from the fact that his claim was situated at the head of ship navigation on the Columbia, and mine was the upper terminus of the only means of travel around the Cascade rapids and falls. From 1850 to the present time I have resided at Cascades, and been engaged in transportation over this portage. From 1850 to 1856 Johnson was a partner in this transportation. From 1853 to 1856, at the time the Indians destroyed his buildings, he was engaged in hotel keeping, store, and the transportation business. His portion of the net profits ending May, 1856, for the previous year, was, according to my books, \$5,000. His hotel, store, and ranching would amount to \$3,000 more, at that time, per year. With the exception of one or two others at Cascades, we were the only white men there during the years 1850 and 1851; but we believed the natural advantages were so great that in the future his claim, which was the only claim in that section of country suitable, must be very valuable as a place of business, a town site, &c. From 1852 to 1856 the business steadily increased, and he was just reaping his pay for his outlay of money when the military took possession of the claim, and turned him off, and would not allow any improvements to be made by him. After he was turned away from his claim I dissolved my connexion with him, from the fact that inasmuch as his position holding the lower claim was his capital, I could not allow him any share in the business, as I could get from the War Department the same facilities which I was getting from him for nothing; that is, they would grant me the same privileges as they would to him. Since 1856, to the present time, the trade has been more than doubled.

After a careful survey of the Oregon or south side of the river, I deemed the route for a railroad on that side impracticable, and commenced a road on the north side; but when I could not get from the Secretary of War, Floyd, any guarantee of the land on which the road was to be built, or a place for a depot at the landing, I stopped the road some three miles above his claim, and connected with it by wagons.

The past year the transportation has been some eight thousand tons, against two thousand at the time the military took possession.

Since 1856 a road has been built on the Oregon side, at an expense of some \$125,000, whilst as good a road could have been built on the north side for \$60,000. Knowing the actual value of the property at the time, and the exact amount of business done since, I state that the property was worth at that time \$300,000, and that his actual income would not have been less than \$15,000 per annum from that date to the present time. In 1856 the white population, exclusive of military east of Cascade mountains, could not have been over three hundred, whilst to-day I know it to be over five thousand.

Interrogatory 6. What was the extent of interference, or was all the tract taken by the department? If not, state what part and how much was taken, the value of the same, and the value of the improvements, if any, thereon, and upon what basis you rely in estimating the value of the same.

Answer. The military took possession of the whole of Johnson's claim. He was denied the right of doing any business on the claim, and compelled by Captain Winder, U. S. A., commanding, to remove a small house which he had erected for his own use. Goods were not allowed to be landed there only by permission, and when ordered he was compelled to remove them. His boats were not allowed to be moored there, and he could not attend to the actual necessities of his business unless by permission of the commanding officer, and many times, to my own personal knowledge and hearing, he was denied reasonable requests, so that the transportation business with him was entirely destroyed, and I was compelled to seek other and much more dangerous and slow modes of connexion with my railroad, and for these reasons I was not willing to allow him any portion of the profits of the business. From that day to this

he, Johnson, has been entirely dissevered from the transportation business at the Cascades.

Questions by surveyor general.

Interrogatory 1. Are the natural facilities for a portage better upon the north or Johnson's side of the river, or upon the south or Oregon side?

Answer. I have before stated that I deemed it impracticable to build any kind of a road on the Oregon side, as there are perpendicular rocks of three hundred and fifty feet in height extending into the river, some sixteen hundred feet long, around which a bridge is now built on tents forty feet high, and which has already been once taken away by high water, causing a loss of over \$10,000.

Interrogatories by W. H. Farrar, attorney for Johnson.

Interrogatory 1. In what business are you engaged?

Answer. I am engaged in the steamboat navigation of the Columbia river, from Portland, Oregon, up the Columbia and Snake rivers; also am the owner of the railroad around the Cascade portage, on the Washington Territory side.

Interrogatory 3. Since when have you been acquainted with Johnson's claim?

Answer. Since July, 1850.

Interrogatory 4. Give your views of that location for a town site, as compared with any other in that section; whether it is the head of sloop and steamboat navigation of the Columbia river; the facilities for building a rail or other road from that point around the Cascades; the facilities such road would furnish for travel and transportation, and the amount of transportation and travel that would probably pass over that road, giving the probable increase each year.

Answer. I have in a measure answered this question, but again say that Johnson's claim was taken with an eye to its natural advantages. It is the only town site at the head of navigation for sea-going vessels, it being an interval in the spur of the Cascade mountains. It is a level piece of land, and vessels can arrive and discharge their cargoes there. In 1850 I was interested in a cargo taken from San Francisco and discharged at this claim in the brig Henry. After leaving this claim of Johnson's there is a narrow strip of bench land extending almost around the Cascades falls. On this strip of land, some three miles above Johnson's upper line, I proposed in an early day to build a railroad. In 1855 I started one to run to his place, but after the claim was taken, as I have before stated, I stopped it above his claim. I am now engaged in building an iron road from the Upper Cascades to a much more difficult point, a mile below Johnson's claim, and on land which some years becomes entirely inundated during the freshets of the Columbia river. I do this, as the wants of the country demand facilities at the Cascade portage, and I am satisfied the wooden road now in use on the Oregon side will not meet the requirements of trade, and three times the sum would not build a road on that side of the river equal to one on the north side.

From the discovery of gold, and the extended range for cattle, and the peculiarity of the climate, the country east of the Cascades mountains is becoming rapidly settled; and had it not been for the steps taken by the War Department to-day would have seen a flourishing city on Johnson's claim, as all goods intended for east of the mountains would have been landed there, rather than at Portland, Oregon, sixty-five miles below, and for which the country now pays eight dollars per ton extra transportation in steamboats to the Cascades.

Interrogatory 5. State the annual value of a commission business that would have been done at that point if it had not been occupied by government troops.

say, since 1856 or any period subsequent, and also the profits from an ordinary hotel at that point, giving each by the year.

Answer. I have stated in my previous answers what without a doubt would have been realized by Johnson from commission and other business at his place. I have only to add that I speak advisedly, as every ton of goods which goes to the upper country I am now paid for, and know exactly the amount of business yearly from 1850 to the present time.

Interrogatory 6. State the natural increase in the value of that point as to town or city property, if it had been in Johnson's possession, from year to year, over its value as farming lands.

Answer. In 1850 the present city of Portland had not as favorable a future for a town as Johnson's claim, having been sold only a short time previous for five thousand dollars. To-day a million would not buy it. In 1851 I was offered forty thousand dollars for a portion of my claim. I have never regretted that I did not accept the offer, and I have always valued Johnson's claim much higher than my own.

Interrogatory 7. In view of all its advantages, what would have been a fair rent for that property each year since 1856?

Answer. I have before stated that his income would have averaged fifteen thousand dollars per annum.

Interrogatory 8. When the military took possession of that point, was it in the possession of hostile Indians, and was the occupancy of it at that time by troops necessary to the suppression or prevention of Indian hostilities, and at what time did the government troops take possession of that point, and where was the nearest body of hostile Indians at that time?

Answer. I was very anxious the Cascades should be occupied by government troops, but Johnson's claim was not the place, as it was open country; but the troops should have been placed some three miles higher up the river, which would have protected the whole portage, and been on comparatively valueless land. It was in April when the War Department took possession. At that time there were no hostile Indians near the Cascades.

Interrogatory 9. Did the United States troops occupy the whole of the land at that point, and enclose the same so as to exclude all others from using it, unless with their permission?

Answer. Yes.

Interrogatory 10. What efforts have been made to build a road around those Cascades? Where was such road? By whom? If along the river, what is the depth of water; and what the probability of such road remaining?

Answer. In 1851 I had a wooden tramway, extending around the falls to within about three miles of Johnson's claim. He was engaged in connecting with this road by teams, boats, &c. The government have now a military road around the Cascades, but it is not in use. I have before stated that I had built a railroad, in 1856, around the falls, on the north side, and that within a few months a road has been built, at a large expense, on the Oregon side, which is now used.

Interrogatory 11. State whether or not you have any interest in Johnson's land claim, or in his claim against the United States, directly or indirectly.

Answer. I have no interest, directly or indirectly, in Johnson's land claim, or in his claim against the United States, but feel a deep interest that the pioneers of this wild country should have justice done them.

Interrogatory 12. State whether or not you were once examined before a commission of United States army officers, in behalf of the United States, respecting Johnson's claim and its occupancy by the military.

Answer. I was.

Interrogatory 13. State whether or not Mr. Johnson was there represented or accompanied by an attorney.

Answer. He was not.

Interrogatory 14. Who constituted that military board?

Answer. Captain Rufus Ingalls, Captain H. D. Wallen, and Lieutenant Dixon.

Interrogatory 15. State whether or not Captain Ingalls is largely interested in town lots in or adjoining Vancouver.

Answer. Of my own knowledge, cannot say, only through common report, that he was interested in a piece of land near Vancouver, on which it was proposed to build up a town.

Interrogatory 16. State whether or not he was so interested at the time he was a member of said board or commission.

Answer. By report, the purchase of the land was some time prior to the meeting of the board.

Interrogatory 17. State whether or not there is any town between Vancouver and the Johnson land claim.

Answer. There is not.

Interrogatory 18. What is the distance from Vancouver to Johnson's place?

Answer. It don't vary much from forty miles.

Interrogatory 19. What is the distance from the Cascades to the Dalles?

Answer. We call it the same, say forty miles.

Interrogatory 20. State whether or not it was the intention to have continued the new railroad built in 1856 or 1857 across the land of Johnson, if the land had not been occupied by the military.

Answer. Yes.

Interrogatory 21. Examine the paper now presented to you, marked "A—Boston, August 17, 1859," and state whether the same was signed by you.

Answer. Yes; it was.

Interrogatory 22. State whether or not you made the offer in said letter in good faith, and who were connected with you in said proposed purchase.

Answer. The offer was made in good faith, and the purchase would have been a good one. The house of Flint, Peabody & Co., of Boston, were to be interested in the purchase.

Interrogatory 23. State whether or not you were connected with Geo. W. Johnson in the transportation business at the Cascades at the time his land was taken from him by the military; and if yea, how many persons were connected with you and Johnson in that particular business, and what was the amount of Johnson's share of the profits of that business for the year ending May, 1856?

Answer. I have before stated Johnson was interested with me in the transportation business at the Cascades. There were three of us, and I have before stated that his share for the year ending May, 1856, was \$5,000 for the transportation. I had nothing to do with his hotel or other business on his claim.

DANIEL F. BRADFORD.

Signed in presence of—

ISAAC W. SMITH.

DALLES, October 11, 1859.

I hereby certify that I was clerk and bookkeeper for Bradford, Johnson & Co., at the Cascades, Washington Territory, for several years; am well acquainted with the business of said firm, and was in their employ at the time Mr. George W. Johnson's land claim was taken from him for military purposes. Mr. George W. Johnson's share of the profits of the firm, for the year ending May, 1856, was five thousand dollars, (\$5,000.) Had his business been uninterrupted I believe he would have continued his business much more successfully, realizing greater profits.

LAWRENCE W. COE.

Subscribed and sworn to before me this 11th day of October, A. D. 1859, that the statements above made are true.

[L. S.] Witness W. C. Moody, county clerk for the county of Wasco, and the seal of said county hereunto affixed.

W. C. MOODY, *Clerk.*

UNITED STATES OF AMERICA,

District of Oregon, ss :

On this 17th day of January, A. D. 1860, before the undersigned, personally appeared Lawrence W. Coe, to me known to be the identical person who subscribed the foregoing affidavit; and he, being duly sworn, did depose and say that the statements contained in said affidavit are true.

[L. S.] In witness whereof I have hereunto set my hand and affixed the seal of the United States district court for said district, the day and year above written.

G. E. COLE,

Clerk of the U. S. District Court for the District of Oregon.

A.

BOSTON, *August 17, 1859.*

DEAR SIR: As we have had several interviews regarding the purchase of a small part of your son's claim at the lower Cascade landing, on the Columbia river, now occupied by the United States government, without success, and as you are now about to leave this for that country, for the purpose, as you say, of getting the government to remove from his claim, should you be successful in this, I am authorized, on behalf of myself and owners in the present railroad running from the upper landing at the Cascades, to offer you ten thousand dollars for one half acre of land at a point on your son's claim that I may select, provided you can bring about the removal of the government from that claim, and leave it entirely clear for settlers. This offer I am willing should remain open six months from the above date.

Truly yours,

DAN'L F. BRADFORD.

Mr. GEO. D. JOHNSON.

DISTRICT COURT OF THE UNITED STATES,
Massachusetts District, Boston, August 19, A. D. 1859.

'Then the above-named Daniel F. Bradford personally appeared and made solemn oath to the truth of the foregoing statement, by him subscribed before me.

[L. S.] In witness whereof I have hereunto subscribed my name and affixed the seal of the said court, this 19th day of August, A. D. 1859.

Attest :

ELISHA BASSETT, *Clerk.*

A.

Questions on behalf of the United States.

Question 1. What is your name and place of residence ?

Question 2. Are you acquainted with the premises in Washington Territory claimed by George W. Johnson, and alleged to have been taken and occupied by the War Department, referred to in the resolution of the House of Representatives of 11th February, 1861, copy A hereto attached ?

Question 3. Describe the situation and extent of the tract claimed by said Johnson, and state whether its limits were determined and marked by survey.

Question 4. When did said Johnson settle upon the land in question, and what was the nature and value of his improvements, if any, at the time of the said alleged interference by the War Department?

Question 5. When was the land taken possession of by the War Department, and what was its value at that time?

Question 6. What was the extent of interference, or was all the tract taken by the department? If not, state what part, and how much was taken, the value of the same, and the value of the improvements, if any, thereon, and upon what basis you rely in estimating the value of the same.

GENERAL LAND OFFICE, *March 21, 1861.*

B.

THIRTY-SIXTH CONGRESS, SECOND SESSION.

CONGRESS OF THE UNITED STATES.

IN THE HOUSE OF REPRESENTATIVES,

February 11, 1861.

On motion of Mr. I. I. Stevens,

Resolved, That the Secretary of the Interior be requested to direct the surveyor general of Washington Territory to ascertain the amount of damages suffered by George W. Johnson, in consequence of the occupancy of his lands in that Territory by the War Department, and report the same to this House, with all the testimony on the subject.

Attest:

J. W. FORNEY, *Clerk.*

C.

Questions on behalf of George W. Johnson by John Wilson, his attorney.

1. Are you acquainted with the land at the Cascades of the Columbia river claimed by George W. Johnson; and if yea, since when?

2. Give your views of that location for a town site, as compared with any other in that section; whether it is the head of sloop and steamboat navigation of the Columbia; the facilities for building a rail or other road from that point around the Cascades; the facilities such road would furnish for travel and transportation; and the amount of transportation and travel that would probably pass over said road, giving the probable increase each year.

3. The annual value of commission business that would have been done at that point if it had not been occupied by government troops—say since 1850, or any period subsequent; and also the profits from a good hotel at that point, giving each by the year.

4. The natural increase in the value of that point, as town or city property, if it had been left in Johnson's possession, from year to year, over its value as farming lands.

5. In view of all its advantages, what would have been a fair rent for that property each year since 1850?

6. When the government troops took possession of that point, was it in the occupancy of hostile Indians; and was the occupancy of it at that time by those troops necessary to the suppression of the Indian hostilities then existing there;

and what time did the government troops take possession of that point, and where was the nearest body of hostile Indians at that time?

7. Did the United States troops occupy the whole of the landing at that point, and enclose the same so as to exclude all others from using it, unless with their permission?

8. What was the value of the buildings and improvements owned by George W. Johnson at that point when it was taken possession of by the government troops; and what became of those buildings and improvements?

9. What efforts have been made to build a road around those Cascades; where was such road built; by whom; if along or in the river, what is the depth of water, and what the probability of such road remaining?

10. State anything else you may know bearing on this question.

DISTRICT OF COLUMBIA,

City and County of Washington:

On this 29th day of March, eighteen hundred and sixty-one, before me, John S. Hollingshead, a notary public in and for said county, personally appeared Augustus N. Grenzebach, of lawful age, who, being duly sworn to testify the truth, the whole truth, and nothing but the truth, in his answers to interrogatories propounded to him, deposes and says in his answer as follows:

To the first interrogatory propounded to him, on behalf of the United States, he answers and says: My name is Augustus N. Grenzebach; my residence is in the State of Oregon.

To the 2d. I am.

To the 3d. This tract is situated at the head of ocean steam navigation, on the Columbia river, in Skamania county, Washington Territory, and I always believed and understood that, at that point, running above and below the head of navigation, he owned, by survey, 320 acres.

To the 4th. I do not know when he settled on the land, and have no knowledge of the value of the improvements.

To the 5th. I have no personal knowledge of the time, but found the military in possession of the land of George W. Johnson in December, 1856.

To the 6th. I understood they exercised authority over the whole claim of George W. Johnson, and allowed no interference on it but by particular grant from them. The land of George W. Johnson, from its peculiar location, I would value at half a million dollars. And I have various and good reasons for so doing. It is at the head of ocean steam navigation, and the key to the whole upper country, lying east of that locality, and it is very evident that at some future day that point would become a city of much commercial importance. It can never so become while the present authorities hold it; their occupancy prevents the construction of a locomotive railroad over a five-mile portage, which, if built, would terminate at this point, thus checking the shipping of freight because of the high rates parties are obliged to charge, for want of such a road and use of landing. The land at the time, (December, 1856,) in view of its location for business purposes, would have rented for \$20,000 per annum. George W. Johnson, as forwarding merchant, &c., could have realized at least \$10,000 per annum. A hotel business, if properly kept, would no doubt have realized him \$3,000 or \$4,000 per annum. My basis for my estimate is, that I am engaged in the transportation business, from Portland to Fort Walla-Walla, on the Columbia river.

AUGUSTUS N. GRENZEBACH.

Sworn and subscribed to before me the day and year aforesaid.

JOHN S. HOLLINGSHEAD,

Notary Public.

To the first interrogatory propounded to me on behalf of George W. Johnson, by John Wilson, his attorney: I am; since December, 1856,

To the 2d. The location is one evidently formed by nature for a town site, as it is a level plain, and free, comparatively speaking, from timber, while on the opposite side of the river it is rugged, rocky, and filled with timber, and the landing not to be compared to that on Johnson's land, from the fact, that the shore at Johnson's landing is bold, and from a peculiar bend in the river forms an eddy, making a complete harbor for vessels of any description to land at; and it is, as before stated, at the head of ship and steamboat navigation.

The facilities for building a railroad from that point around the Cascades are as follows, viz: You can start from the lower end of Johnson's landing with a survey and continue over the entire distance of the portage without being obliged to enter the river with the road, while on the other side, at a certain point, you are obliged to enter the river with piles some seventy feet long, to be out of the reach of high water. This arises from the fact that an immense high bluff of rock lies in the way of a road being built on the main land, which bluff of rock is, I would say, some three hundred feet high, perpendicularly, from the water.

The facilities such a road would furnish for travel and transportation is in the fact that freight and passengers could be transported across for one-third the present rates.

The probable travel and freight across a railroad, had one been built in 1856, would have amounted to \$15,000 per annum, with an increase of 100 per cent. annually.

To the 3d. The annual profits arising from a commission and forwarding business since 1856 would have been \$10,000, with an increase of say 100 per cent., provided Johnson had not been interfered with by the government. The business of a hotel would have yielded a profit of three or four thousand dollars per annum, with an increase of fifty per cent.

To the 4th. As before stated, I, in December, 1856, placed a value on the property for business purposes at half a million of dollars. By this time, had Johnson not been interfered with by the United States government, its value might have far exceeded this amount.

To the 5th. As before stated, I valued it in 1856 as worth \$20,000 per annum. Had Johnson not been interfered with, the growth of a town or city, its business, &c., would have largely year after year increased its value.

To the 6th. As before stated, I was not there until 1856.

To the 7th. They did occupy the whole of the landing at that point, and enclosed the same, and excluded all others from using it without their permission.

To the 8th. I do not know; all being done before I arrived there.

To the 9th. There was a wagon road built by the military along the banks of the river from Johnson's landing.

To the 10th. Had not this point been interfered with by government, the probability is that commercial houses would have been established there to supply goods to merchants in all the upper country; that by this time a large town might have been built up.

AUG. N. GRENZEBACH.

Sworn to and subscribed before me the day and year aforesaid,

[L. s.]

JOHN S. HOLLINGSHEAD,

Notary Public.

MARCH 30, 1861.

George B. Simpson, of lawful age, being duly sworn to testify the truth, the whole truth, and nothing but the truth, in his answers to the interrogatories propounded to him, deposes and says in his answers as follows:

To the 1st question propounded on behalf of the United States he saith: My name is George B. Simpson; residence, Washington city.

To the 2d. I am acquainted with the premises referred to in the said resolution, which were claimed by George W. Johnson.

To the 3d. The tract is situated at the head of ship navigation on the Columbia river, in Washington Territory, and was, in 1856, occupied by the said George W. Johnson as a steamboat landing and general purposes of business. I am not aware that the boundaries of the tract had been marked by survey, but was informed that the boundaries were definitely marked.

To the 4th. I do not know when the said Johnson first settled on said claim; he was living on it in 1855 and 1856, when I resided there in the capacity of *local Indian agent*. His improvements were a large frame house or hotel, a corral, fields fenced, and two or three dwelling houses; one frame, the others log.

To the 5th. The military took possession of the said land in May, 1856. The value of the said land was more prospective than immediate, and as a town site I have heard it variously estimated at from one hundred thousand to one million of dollars, in which opinion I concur.

To the 6th. The interference on the part of the military was complete and absolute over the entire steamboat landing and surrounding grounds. I am not aware that the army occupied the entire tract, but all that portion fronting the river, including the steamboat landing, building sites, field, corral, &c. The land and improvements were valuable mainly for freighting goods across the portage, hotel, stores, &c., &c. All this was interfered with by the United States army, whose officers exercised absolute control over the district. The basis on which I rely for the value of the improvements is the fact that this point is the head of ship navigation on the Columbia river. Here all goods for the upper country have to be unshipped and transported across a five-mile portage. A wharf boat was moored at the landing for the storage of freight; a hotel was kept for the accommodation of passengers, and a store for the sale of goods. Upon this basis, I have heard, and in fact have very good reasons for knowing, that the value of the improvements could not have been less than twenty thousand dollars.

GEORGE B. SIMPSON.

Sworn and subscribed to before me this 30th day of March, 1861.

[L. S.]

JOHN S. HOLLINGSHEAD,

Notary Public.

To the first question propounded on behalf of George W. Johnson, by John Wilson, his attorney, he answering saith: I am acquainted with the land at the Cascades of the Columbia river, claimed by George W. Johnson, since 1853.

To the 2d. As a location for a town site it is unequalled on the Pacific coast. It is at the head of ship and steamboat navigation on the Columbia river; the facilities for landing freight and passengers are all that can be desired, and a railroad may be easily constructed from the lower to the upper landing; in fact, I contemplated building one myself, and sent a bill to the territorial legislature for the purpose of obtaining a charter, which bill failed in the legislature by a single vote, as I was credibly informed, which, when built and in operation, will reduce the cost of transportation at least one-half. The increase of business, consequent upon the settlement of the upper country on the discovery of rich gold mines, will be about fifty per cent. annually.

To the 3d. The value of commission and transportation business, as I was credibly informed, in 1856 amounted to about eighteen or twenty thousand dollars, and I have every reason to believe it would have increased steadily. A good hotel would have been worth \$2,000 per annum.

To the 4th. The increase value of the said property, had it remained in the

peaceable possession of the said Johnson, as a city or town site, would have probably been from five to ten thousand dollars per annum.

To the 5th. In view of all the advantages, a fair rent for all the said property, occupied and controlled by the United States army, would have been from ten to twenty thousand dollars per annum. In fact, it is difficult to estimate the damage to the claim as a town site.

To the 6th. When the government troops took possession of the said claim it was in the possession of the said Johnson, no hostile Indians being near the claim, and the occupancy by the government troops was not necessary for the suppression of Indian hostilities. I think it was in the month of May, 1856, when the United States troops took possession.

To the 7th. I cannot say that the United States troops occupied the entire tract of land aforesaid, but this I *know*, that they ruled the place with a rod of iron, removing every one from their assumed possessions who did not comport with their idea of military discipline.

To the 8th. The buildings and improvements owned by George W. Johnson at that point were probably worth twenty thousand dollars.

To the 9th. Efforts were made to build a road on the south side of the river, but much difficulty was encountered from the fact that a perpendicular point of the mountain projected into the water, so as to make it impossible to construct a road without bridging around it. On the north side no such difficulty exists, but a fair bed and abundant material near at hand.

To the 10th. In general, I will say that the land claimed by the aforesaid George W. Johnson is at the head of ship navigation on the Columbia river, in Washington Territory, and as a town site may be estimated at \$500,000, or more. As a place of business, for storing and forwarding goods or freight, merchandising, hotel keeping, renting stores and dwellings, had it remained in the undisturbed occupancy of the said Johnson, would have been worth at this time \$20,000 per annum. I know from having lived in the house with the said Johnson, and learned from him personally that he underwent every privation to hold his claim; and that he refused what others regarded as liberal offers for a part or the whole of his claim. I have heard him say he would not sell the whole claim for \$500,000.

GEORGE B. SIMPSON.

Sworn and subscribed to before me this 30th day of March, 1861.

[L. S.]

JOHN S. HOLLINGSHEAD,

Notary Public.

APRIL 2, 1861.

John H. Scranton, of lawful age, being duly sworn to testify the truth, the whole truth, and nothing but the truth, in his answers to the interrogatories propounded to him, deposes and says in his answers as follows:

To the 1st interrogatory propounded to him on the behalf of the United States, he saith: John H. Scranton, Olympia, Washington Territory.

To the 2d. I am.

To the 3d. I do not know whether he took 320 or 640 acres. It was surveyed by Judge Chenoweth, in 1850 or 1851.

To the 4th. He settled on it in 1850 or 1851; his improvements were, a hotel, stores, and other buildings, fencing and wharf.

To the 5th. In May, 1856. Value at that time, \$100,000; prospective value incalculable.

To the 6th. The landing place and most desirable part of the land was taken possession of by the department. (government troops.) and fenced in. and is so

at this present time, and they have held surveillance over the whole of the tract. The value of the improvements to him for his office alone was worth from \$6,000 to \$10,000 per annum. The transportation of freight since that time has yearly been from \$130,000 to \$220,000. My basis is from the examination of the books of the Dalles & Cascade Transportation Company, which I examined with a view of constructing a railroad across the portage.

JOHN H. SCRANTON.

Sworn and subscribed to before me this 2d day of April, 1861.

JOHN H. HOLLINGSHEAD,

[L. S.]

Notary Public,

To the 1st interrogatory propounded on behalf of George W. Johnson, by John Wilson, his attorney, he saith: I am, since 1850.

To the 2d. It is the only suitable place for a town site within ten miles of there, and it is the head of ship and ocean steam navigation. It is the only point where a railroad can terminate or commence to go to the upper country; the facility of a railroad would greatly increase the trade; the receipts of the Transportation Company show that in no year has it been less than \$100,000 per year since 1854; the average receipts have been about \$160,000, for the last three or four years. Nature has made this point of Johnson's a perfect harbor. It is a level plain, and seems designed by nature for the site of a large commercial city.

To the 3d. The annual value of commission business would have realized a profit of \$20,000 in 1856, and would have largely increased yearly since that time had Johnson not been interfered with. A good hotel would have paid a profit of from \$4,000 to \$8,000 per annum.

To the 4th. Would have been invaluable; say from \$500,000 to one million of dollars.

To the 5th. Ten to twelve thousand dollars per annum.

To the 6th. It was not; their occupancy was not necessary. Had there been occasion, "Indian Ranch," three miles above, would have afforded better protection by its occupancy by the military.

To the 7th. They did, and exercised absolute control.

To the 8th. His buildings had been destroyed by the Indians, and he was building large improvements when the government troops took possession. They moved his wharf boat and put one of theirs in its place. The value of the buildings to him at that time was very great.

To the 9th and 10th. Several efforts have been made on the other side of the river to make a road, all of which have failed. From Johnson's land a good railroad can be made without entering the river. 10th. I am perfectly satisfied that George W. Johnson has an invaluable claim. It is impossible to estimate his loss by the occupancy of the military. If the government had not occupied this place there would have been a large settlement there at this time and a large commercial town. And if a railroad had been built, it would have reduced the rates of transportation two-thirds.

JOHN H. SCRANTON.

Sworn and subscribed to before me this 2d day of April, 1861.

JOHN S. HOLLINGSHEAD,

[L. S.]

Notary Public.

APRIL 3, 1861.

J. O. Van Bergen, of lawful age, being duly sworn to testify the truth, the whole truth, and nothing but the truth, in his answers to the interrogatories propounded to him, deposes and says in his answers as follows:

In his answer to the 1st interrogatory propounded on behalf of the United States he says: My name is J. O. Van Bergen; residence, Portland, Oregon.

To the 2d. I am.

To the 3d. It is situated at the lower landing of the Cascade rapids, Columbia river. In July, 1850, when I first went there, this claim was taken by George W. Johnson, and, as I understood from Justice Chenoweth, he, Chenoweth, had surveyed and marked its limits.

To the 4th. The Indians had destroyed all his improvements—wharf boat, hotel, buildings, &c.—which were valuable for business purposes; and at the time the reservation was made he was replacing his improvements to resume business.

To the 5th. In the spring of 1856. As a point for landing for steamboats and vessels, and a town site, the value is great.

To the 6th. I do not know as to all the claim being taken; I know the landing was taken. I have stated above as to the value. My basis is my experience as a captain and owner of steamboats on the Columbia river, Oregon, since 1850.

J. O. VAN BERGEN.

Sworn and subscribed to before me this 3d day of April, 1861.

[L. S.]

JOHN S. HOLLINGSHEAD,
Notary Public.

To the 1st interrogatory propounded to him on behalf of George W. Johnson, by John Wilson, his attorney: I am, since July, 1850.

To the 2d. I did at that time consider it the most valuable town site in that vicinity. It is the head of ship navigation. Steamers, at certain seasons of the year, run above it. The facilities for building a railroad were very easy. Were such a road built it would reduce the cost of transportation one-half. The amount of transportation would be very great, with an increase every year.

To the 3d. I do not know. A hotel would pay a profit of from two to three thousand dollars. To my certain knowledge a large amount of business has been done there, which could have been increased every year.

To the 4th. Beyond estimate, being very valuable.

To the 5th. Had Johnson not been interfered with by the military a commercial town might have grown up, it being one of the most desirable sites in that vicinity, and the rents thereof would necessarily have been very valuable, with a yearly increase.

To the 6th. Not to my knowledge. At the time of the attack by the Indians, in March, prior to the United States military making the reservation, a company of volunteers, who were on the boat I commanded, were landed there by me and retook that point, which was then in the possession of hostile Indians, they having burnt all the improvements there. During the same spring the United States troops made the reservation at that point; their possession of it was not necessary for the suppression of Indian hostilities. Other points could have been taken equal for the protection of the country, but not affording the same facilities for a landing. It was in the spring of 1856 that the government troops took possession of that point. The nearest body of hostile Indians were some twenty or thirty miles from Johnson's claim.

To the 7th. They took the whole of the landing at that point and made enclosures there. My understanding was that they controlled the same.

To the 8th. I cannot state the value. There was a wharf boat, with a warehouse on it, that I was informed belonged to Johnson, and some other buildings that he had commenced building. What their actual value was I am unable to say. The wharf boat remained there; what was done with the other improvements I do not recollect.

To the 9th. Several efforts were made to build a road; one was built by government from the point on Johnson's landing; another one on the other side of the river, by J. S. Ruckle & Co. Ruckle's road is built for some distance around a point known as the "tooth," which compelled them to bridge for some distance, at an elevation of forty or fifty feet, which bridge would remain, if built strong enough.

J. O. VAN BERGEN.

Sworn and subscribed before me this 3d day of April, 1861.

[L. S.]

JOHN S. HOLLINGSHEAD,
Notary Public.

APRIL 4, 1861.

Stephen Coffin, of lawful age, being duly sworn to testify the truth, the whole truth, and nothing but the truth, in his answers to the interrogatories propounded to him, deposes and says in his answers as follows:

To the 1st interrogatory propounded by the United States he answers and says: Stephen Coffin; Portland, Oregon.

To the 2d. I am.

To the 3d. Its situation is at the head of ship and ocean steam navigation on the Columbia river, Washington Territory, and I understand it is a donation claim of three hundred and twenty acres. I do not know the exact limits.

To the 4th. Before the passage of the donation law, in September, 1850, the value of improvements I do not know. There was a wharf boat and storehouse, a hotel, and other buildings.

To the 5th. I do not know the exact time when they did take possession, but saw them there in the spring of 1856. Its value for a harbor, town site, and trading post was incalculable.

To the 6th. I saw them in possession of the trading post and landing place, where the improvements were. The value of the trading post is answered above. I base my estimate upon the amount of business then doing and the advantages it possessed over any other landing place at that point, and from the vast amount of business that must be done there; and there is a vast country east of the Cascades, rich in mineral and agricultural advantages, as already developed.

S. COFFIN.

Sworn and subscribed to before me this 4th day of April, 1861.

[L. S.]

JOHN S. HOLLINGSHEAD,
Notary Public.

To the 1st interrogatory propounded on behalf of George W. Johnson, by John Wilson, his attorney, he answers and says: I am, since 1847.

To the 2d. I have answered the main part of this question in my answer to the question from the United States. It is far the best and most practicable point for a railroad at the rapids. If a railroad was built it would lessen the expense of transportation to one-third the present price, or what it would be without a railroad.

To the 3d. The amount very large. A hotel would pay from one to three thousand dollars per annum, and all business would increase not less than 100 per cent. per annum for a series of years.

To the 4th. Increase, I think, from 50 to 100 per cent. per annum.

To the 5th. I do not know; but I base everything on the great amount of business, and rents consequently great.

To the 6th. It has never been necessary for the government to hold that point

on account of hostile Indians, from the fact that there were plenty of other points just as good that the government troops could have occupied, and not interfered with the trade of that place.

To the 7th. I do not exactly know.

To the 8th. I have answered before.

To the 9th. There has been a railroad built on the opposite side of the river by Ruckle & Co. A portion of it is built in the river around a high projection of rock, where the water is very deep and very rapid, and has been once or twice washed away; and I think a road on that side must prove a failure.

To the 10th. I know of men that are anxious and are now trying to get the right of way, with a particular view to build a locomotive railroad from Johnson's land, and also to connect a line of steamers below and above, to start from that point. For the last five years I have frequently heard the great importance of having a railroad from this point spoken of.

S. COFFIN.

Sworn and subscribed to before me this 4th day of April, 1861.

[L. S.]

JOHN S. HOLLINGSHEAD,
Notary Public.

APRIL 5, 1861.

C. D. Blanchard, of lawful age, being duly sworn to testify the truth, the whole truth, and nothing but the truth, in his answer in chief to the interrogatories hereunto annexed deposes as follows:

That he was in the employ of the United States quartermaster's department, as clerk, both at Fort Vancouver and at Fort Dalles, in the years 1855, 1856, 1858, and 1859, and during those years, having been at the lower Cascades many times, he became acquainted with George W. Johnson, and had acquired a knowledge of the land claim of said Johnson, there situated, as well as the business in which he was engaged; that the said claim is located at the head of ship navigation on the Columbia river, at the lower Cascades, and was in 1855 and 1856 the only landing point for steamboats with supplies for the entire upper Columbia river country. The business in which the said Johnson was engaged was chiefly that of forwarding and commission, and which was very profitable. As this deponent is informed, and believes the same to be true, this business was worth and had realized to the said Johnson upwards of seven thousand dollars (\$7,000) per annum, and was advancing in interest and importance; that the said Johnson was likewise a trader and dealer in merchandise, from which he also derived considerable profit, as well as in the keeping of a house of entertainment for travellers, feed for stock, &c. This deponent further says that the said land claim was taken from the said Johnson in the spring of the year 1856, by the United States military authorities, and devoted to the uses and purposes of a military reservation, and that the same has been from that period to the year 1860, and is, as he is informed, now held and retained as such, in the possession and occupation of the troops of the United States; to the great loss and detriment of said Johnson, he, the said Johnson, having thereby been deprived of all his business and the benefits and profits arising therefrom, and all which have ever since been debarred him. This deponent further says that during a long period of Indian difficulties—a period when life and property were deemed insecure, and prior to the taking and retention of the said lands by the United States military authorities, as aforesaid—the said Johnson yet maintained his house and pursued his customary business on his said claim, and did not vacate or forsake the same, but continued, to the best of his means and ability, to improve its value by the erection of buildings and otherwise, and that, after certain of his buildings and property had been

destroyed by hostile Indians in the early part of 1856, he commenced the work of rebuilding the same, and continued so to do until ordered and constrained to desist by the military authorities who had taken possession and control of his lands, as before mentioned. And this deponent further says that, by reason of the natural advantages of the site on which his said land claim is located—it being the head of ship navigation and the entrepôt of all supplies for the entire country above—this deponent verily believes that the said Johnson would have derived therefrom an ample fortune in a very few years, had not the possession and control thereof been deprived him; that, as this deponent is informed and believes to be true, capitalists were at the time in treaty with the said Johnson for an interest in his said claim, and it is probable there would have been created transportation facilities resulting in such profits as to be esteemed of immense benefit to the said Johnson. And further, the said land claim having been by many persons viewed as a desirable town site, the said Johnson was debarred the sale of lots or subdivisions thereof, at which time—in the spring of 1856—quite valuable and much sought after, and which would, in the opinion of this deponent, have still further enhanced the value of the property in question. As an illustration of the great value of this land and its use to the said Johnson, this deponent has been informed that of government stores alone there was, during the year 1859, transported by the government upon and across the lands of the said Johnson upwards of two thousand tons, which would have netted a profit of more than ten thousand dollars (\$10,000) to the said Johnson, had he not been deprived of the uses of his lands and consequent control and management of his business in the manner and form before stated. This deponent further says that, in view of all the matters herein contained, he is not prepared to say, nor can he state with any degree of precise knowledge, what amount of damages the said Johnson has in reality suffered by reason of the premises; yet this deponent has made estimate thereof, and believes that the sum of twenty thousand dollars per annum will not more than make whole and good all the damage and loss sustained by the said Johnson through the act of the military authorities taking possession and control of his lands at the lower Cascades. And further saith not.

C. D. BLANCHARD.

Sworn to and subscribed before me this 5th day of April, A. D. 1861.

JOHN S. HOLLINGSHEAD,

[L. S.]

Notary Public.

APRIL 6, 1861.

A. M. Gibbons, of lawful age, being duly sworn to testify the truth, the whole truth, and nothing but the truth, in his answers to the interrogatories propounded to him, deposes and says in his answers as follows:

To the 1st question propounded on behalf of the United States he answers and says: My name is A. M. Gibbons; residence, State of Oregon.

To the 2d. I am acquainted with the premises mentioned.

To the 3d. The premises are situated on the Columbia river, immediately below the Cascades of the Columbia river, and are at and form the natural landing, and include three hundred and twenty acres of land.

To the 4th. He settled on said land, as I believe, in the year 1850. His improvements were wharf boat, warehouse, and small dwelling; and he was, at the time the said landing was taken by the military authorities, rebuilding a hotel.

To the 5th. The land was taken in the year 1856, in the month of May. The said tract of land is of very great value, for the reason that it is a natural

site or location for a town; and had said land not been taken and occupied by the military authorities, I think that in at most ten years from now eighty acres of lots would have been covered with improvements, and the lots worth averaging \$300 each, and in number, say 1,280, making the sum of \$364,000; leaving the balance of said tract as worth vastly more than the interest on said amount from the time the said land was taken up to ten years hence.

To the 6th. I am informed reliably that all of said tract was taken—320 acres. The interference was general, and included the whole tract, as a fence barrier was erected with gate and lock, through which everything and everybody must pass, going up or down the river, or go on the other side.

A. M. GIBBONS.

Sworn and subscribed to before me this 6th day of April, A. D. 1861.

JOHN S. HOLLINGSHEAD,

[L. S.]

Notary Public.

To the first question propounded on behalf of George W. Johnson, by John Wilson, his attorney, he answers and says: I am.

To the 2d. The locality for a town site I regard as a natural one, and in comparison with others in that section far exceeds them, as it is situated at that point on the river at the head of ship navigation on the Columbia, and also where a general portage must be made of five miles, and is where the railroad must begin or terminate when built around the Cascades, as the opposite side of the river is well considered as unsafe and not to be relied on.

To the 3d. The value of commission business is large and yearly increasing, and without actual figures to calculate from, it would be safe to say from fifteen to thirty thousand dollars per annum is the amount the business could have been made to pay at this time, and the difference would have been much greater had the land remained in Mr. Johnson's possession. The profits of a hotel would have been three thousand dollars (\$3,000) and continually increasing.

To the 4th. Its value as a town site has been directly interfered with by the occupation of the government, and had it been left in Mr. Johnson's possession it would then, of course, have been subject to such improvement and increase as would have naturally sought such a location as this is described to be.

To the 5th. From ten to twenty-five thousand dollars.

To the 6th. The Indians had left and were east of the Cascade mountains, and were not on or near said land at the time the said land was taken by government, and its occupancy has never been found to be necessary as a position of defence since the time it was taken, either for the suppression of Indian hostilities then or since existing. In May, 1856, the troops took possession, and at the time the hostile Indians were somewhere east of the Cascade range of mountains.

To the 7th. The military authorities did occupy and enclose the same so as to prevent its use, unless by their permission, as I am informed, in writing, which enclosure included the landing.

To the 8th. I cannot fix the value of the buildings referred to, but the government took them and the boat mentioned.

To the 9th. A road has been built once on the other side of the river, but which was washed away, and it has been recommenced. This was by Ruckle & Co., in the river a portion of the way. The water is deep, particularly when the river is high, and there is but little probability of a road there becoming permanent or remaining.

A. M. GIBBONS.

Sworn and subscribed to before me this 6th day of April, 1861.

JOHN S. HOLLINGSHEAD,

Notary Public.

APRIL 9, 1861.

F. W. Lander, being duly sworn to testify the truth, the whole truth, and nothing but the truth, in his answer in chief to the annexed interrogatories, deposes and says: In 1854 I examined the claim of George W. Johnson, at the Cascades of the Columbia river. It is situated at the head of steamboat navigation of the lower Columbia. It is the only actual town site, so far as I am capable of judging, so situated as to be available for all purposes of a large transportation service, the other side of the river being precipitous, rough, and ledgy. In the event of the construction of a railroad around the falls, this claim becomes highly valuable. I regard its value, in view of this prospective contingency, from \$250,000 to one-half million of dollars. I regard its actual market value to persons versed in such matters, and knowing the worth of the engineering facilities of the site and the overland traffic, at least at \$250,000. It is a fact that schooners laden at Manilla can lay down sugar, coffee, and rice at Johnson's claim without breaking freight. I called on the Secretary of War to contract to deliver the supplies of the Utah army from this point. Statistics prove that there would be a saving of ten cents per pound between this point and Utah, as in contradistinction from St. Joseph's and Leavenworth. I endeavored to close a bargain with Johnson for half of his claim, to construct an iron railroad around the falls. He then declaimed as to the wrongs he had suffered by the occupancy of it by the troops. I have no means at hand or information by which I can learn or state what portions of the claim were occupied, and how far the claim was injured by the said occupancy. I can give no more time to the matter, and take no particular interest in it beyond appreciation of the importance of the point to the overland traffic. It should be held by private parties for development.

F. W. LANDER.

Sworn and subscribed to before me this 9th day of April, 1861.

[L. S.] JOHN S. HOLLINGSHEAD,
Notary Public.

I have annexed the original affidavit as made before me by F. W. Lander.

JOHN S. HOLLINGSHEAD,
Notary Public.

- In 1854 I examined the claim of George W. Johnson at the Cascades of the Columbia river. It is situated at the head of steamboat navigation of the lower Columbia. It is, the only actual town site, so far as I am capable of judging, so situated as to be available for all purposes of a large transportation service, the other side of the river being precipitous, rough, and ledgy. In event of the construction of a railroad around the falls, this claim becomes highly valuable. I regard its value, in view of this prospective contingency, from \$250,000 to one-half million dollars. I regard its actual market value to persons versed in such matters, and knowing the worth of the engineering facilities at the site and the overland traffic, at least at \$250,000.

It is a fact that schooners laden at the Manilla Islands can lay down sugar, coffee, and rice at Johnson's claim without breaking freight. I called on the Secretary of War to contract to deliver the supplies of the Utah army from this point. Statistics prove that there would be a saving of ten cents per pound between this point and Utah, as in contradistinction from St. Joseph's and Leavenworth.

I endeavored to close a bargain with Johnson for half of his claim, to construct an iron railroad around the falls. He then declaimed as to the wrongs he had suffered by the occupancy of it by the troops. I have no means at hand, or information, by which I can learn or state what portions of the claim were occupied, or how far the claim was injured by said occupancy.

I can give no more time to the matter, and take no particular interest in it beyond appreciation of the importance of the point to the overland traffic. It should be held by private parties for development.

F. W. LANDER.